



San Gabriel Valley Council of Governments

AGENDA AND NOTICE OF THE JOINT MEETING OF THE WATER POLICY COMMITTEE & WATER TECHNICAL ADVISORY COMMITTEE (TAC)

Tuesday, September 10, 2019, 10:00 AM
Upper San Gabriel Valley Municipal Water District Office
602 E. Huntington Drive, Suite B Monrovia, CA 91016

Water Policy Committee

Chair: Diana Mahmud
City of South Pasadena

Vice-Chair:
Gloria Crudgington
City of Monrovia

Members
Claremont
Glendora
Monrovia
Rosemead
San Gabriel
Sierra Madre
South Pasadena
LA County District 1

Water TAC

Chair: Tom Love
Upper San Gabriel Valley
Municipal Water District

Vice Chair: Alex Tachiki
City of Monrovia

Members
Alhambra
Arcadia
Bradbury
Covina
Duarte
Monrovia
Pomona
Sierra Madre
LA County DPW
San Gabriel Valley MWD
Upper San Gabriel Valley
MWD

Ex-Officio Members
LA County Sanitation
Districts
SG Basin Watermaster

Thank you for participating in today's meeting. The Water Committee encourages public participation and invites you to share your views on agenda items.

MEETINGS: *Regular Meetings of the Water Committee are held on the second Tuesday of each month at 10:00 AM at the Upper San Gabriel Valley Municipal Water District Offices (602 E. Huntington Drive, Suite B Monrovia, CA 91016).* The agenda packet is available at the San Gabriel Valley Council of Government's (SGVCOG) Office, 1000 South Fremont Avenue, Suite 10210, Alhambra, CA, and on the website, www.sgvco.org. Copies are available via email upon request (sgv@sgvco.org). Documents distributed to a majority of the Committee after the posting will be available for review in the SGVCOG office and on the SGVCOG website. Your attendance at this public meeting may result in the recording of your voice.

PUBLIC PARTICIPATION: Your participation is welcomed and invited at all Water Committee and Water TAC meetings. Time is reserved at each regular meeting for those who wish to address the Committee. SGVCOG requests that persons addressing the Committee refrain from making personal, slanderous, profane or disruptive remarks.

TO ADDRESS THE COMMITTEE: At a regular meeting, the public may comment on any matter within the jurisdiction of the Committee during the public comment period and may also comment on any agenda item at the time it is discussed. At a special meeting, the public may only comment on items that are on the agenda. Members of the public wishing to speak are asked to complete a comment card or simply rise to be recognized when the Chair asks for public comments to speak. We ask that members of the public state their name for the record and keep their remarks brief. If several persons wish to address the Committee on a single item, the Chair may impose a time limit on individual remarks at the beginning of discussion. **The Water Committee and Water TAC may not discuss or vote on items not on the agenda.**

AGENDA ITEMS: The Agenda contains the regular order of business of the Water Committee and the Water TAC. Items on the Agenda have generally been reviewed and investigated by the staff in advance of the meeting so that the Committee/TAC can be fully informed about a matter before making its decision.

CONSENT CALENDAR: Items listed on the Consent Calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion on these items unless a Committee member or citizen so requests. In this event, the item will be removed from the Consent Calendar and considered after the Consent Calendar. If you would like an item on the Consent Calendar discussed, simply tell Staff or a member of the Committee.



In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the SGVCOG office at (626) 457-1800. Notification 48 hours prior to the meeting will enable the SGVCOG to make reasonable arrangement to ensure accessibility to this meeting.



PRELIMINARY BUSINESS

1. Call to Order
2. Roll Call
3. Public Comment (*If necessary, the Chair may place reasonable time limits on all comments*).
4. Changes to Agenda Order: Identify emergency items arising after agenda posting and requiring action prior to next regular meeting.

CONSENT CALENDAR (*It is anticipated that the Water Committee/TAC may act on the following matters*)

5. Water Committee/TAC Meeting Minutes – Page 1
Recommended Action: Approve Water Committee/TAC meeting minutes.

PRESENTATIONS

6. Proposed Bacteria Scientific Study — Richard Watson, Richard Watson & Associates, Inc. – Page 7
Recommended Action: For information only.

DISCUSSION ITEMS

7. Water Committee Vice-Chair Nomination
Recommended Action: Discuss and provide direction to staff.
8. Safe Clean Water Program
Recommended Action: Discuss and provide direction to staff.
9. Prop 1 Storm Water Grant Program Guidelines – Page 9
Recommended Action: Discuss and provide direction to staff.

UPDATE ITEMS

10. Legislative Updates
 - HR 1497 – Page 65
Recommended Action: For information only.
11. E/WMP Updates
Recommended Action: For information only.
12. Water TAC Chair Report
Recommended Action: For information only.
13. Water Supply Update
Recommended Action: For information only.
14. Water Boards Update
Recommended Action: For information only.
15. Litigation Update
Recommended Action: For information only.

CHAIR'S REPORT

ANNOUNCEMENTS

ADJOURN



**SGVCOG Joint Water Policy Committee/TAC Meeting
Approved Minutes**

Date: July 9, 2019
Time: 10:00 AM
Location: Upper San Gabriel Valley Municipal Water District
602 E. Huntington Drive, Suite B, Monrovia, CA

PRELIMINARY BUSINESS

1. Call to Order: The meeting was called to order at 10:03 A.M.
2. Roll Call

Water Policy Committee Members Present

J. Capoccia, Sierra Madre
M. Clark, Rosemead
G. Crudgington, Monrovia
D. Mahmud, South Pasadena
H. Nguyen, LA County District #1
J. Stark, Claremont

Water Policy Committee Members Absent

G. Boyer, Glendora

Water TAC Members Present

J. Chavez, Alhambra
J. Carlson, Sierra Madre
S. Costandi, Covina
R. Wang, LACPW
Y. Serna, Duarte
T. Love; P. Cortez, USGVMWD
J. Carver, Pomona

Water TAC Members Absent

A. Tachiki, Monrovia
K. Kearney, Bradbury
V. Hevener, Arcadia
E. Reyes, SGVMWD

Ex Officio Members Present

S. Green, LACSD
A. Jimenez; Ana R., SG Watermaster

Ex Officio Members Absent

Guests

D. Sharp, LA County Public Works
E. Baul, LA County Public Works

SGVCOG Staff

C. Sims
N. Kaur

3. Public Comment.
No public comment was given.
4. Changes to Agenda Order.
No changes to the agenda order.

CONSENT CALENDAR

5. Water Committee/TAC Meeting Minutes

There was a motion to approve the consent calendar. (M/S: G. Boyer /J. Capoccia).

[MOTION PASSED]

AYES:	Alhambra, Sierra Madre, South Pasadena, LACPW, LA County District #1, Duarte, Claremont, SGVMWD, Covina, Rosemead
NOES:	
ABSTAIN:	Monrovia
ABSENT:	Bradbury, Arcadia, Pomona, Glendora, USGVMWD

PRESENTATIONS

6. San Gabriel Valley Greenway Network: Dan Sharp, LA County Public Works
D. Sharp presented on this item. He discussed the work being done to transform 138 miles of existing LACFCD right of way into world class active transportation for the San Gabriel Valley. They are currently working with existing data and adding additional data to ensure feasibility such as addressing the community needs and amenities already available. Currently, the County project management team has been established and the Plan initiation is pending execution of NTP for a consultant agreement. The project management team includes: Public Works (project lead), Public Works' Consultant (Brown and Caldwell), Parks and Recreation, and the Watershed Conservation Authority (WCA). This project management team will receive guidance from a Steering Committee and Technical Advisory Committee which will begin their meetings this fall. The plan development and public outreach will be completed in the summer of 2021. The environmental documentation will be complete in the summer of 2022.

DISCUSSION ITEMS

7. Water Committee Chair Nomination
There was a motion to elect Diana Mahmud (South Pasadena) to serve as Chair of the Water Policy Committee. The Vice-Chair nomination will be postponed to the September meeting.
8. Water TAC Chair/Vice-Chair
There was a motion to elect Tom Love (Upper San Gabriel Valley Municipal Water District) to serve as Chair and Alex Tachiki (Monrovia) to serve as Vice-Chair of the Water TAC Committee.

UPDATE ITEMS

9. Safe Clean Water Program Update
A public review period for documents was held from May 29, 2019 to June 21, 2019 which yielded 260 comments in addition to clarification questions. Comments were mostly regarding Watershed coordinators and water scoring. Watershed groups will have access to regional funds and should expect to see the local return disbursed. Each of the regional projects will be subject to a transfer agreement. It was mentioned that Alhambra and Monrovia applied to be on the Rio Hondo watershed steering committee.
10. Legislative Updates
N. Kaur presented on this item. Updates included the status of SB 205 (Hertzberg) in which cities are going to determine if the businesses have the right SIC codes considering SIC Codes have not been updated since the 1990s. This bill would direct updated NAICS Codes.
11. E/WMP Updates
No report was given.
12. Water TAC Chair Report
It was determined that the TAC will begin meeting prior to the regularly scheduled Water Policy meeting.
13. Water Supply Update

T. Love provided updates on this item. MWD has reported more than 3 million-acre feet in storage. In terms of local water supply, rainfall is 20% below average, even with recent storms, indicating drought conditions and is at 75%. Love mentioned that MWD will need to create a fund to offset years with lower basin sale. A procurement process to get a financial consultant are underway. T. Villegas announced that the pilot plant construction is completed for advanced treatment (reverse osmosis) and will begin doing tours.

14. Water Boards Update

The update included an announcement that the State Board will be hosting a webinar on July 11 on nature-based solutions through watershed planning.

15. Litigation Update

D. Mahmud reported on this item. Regarding the Gardena Duarte litigation, on June 20, 2019, the Judge issued a tentative judgement (rejecting those offered by the parties) which would stay the entire permit, remand the matter to the Water Board to reconsider, and then stay that judgment until the earlier of the filing of a notice of appeal or the expiration of time to do so. It was later pointed out that the Court rejected Duarte's proposed writ/judgment and instead favored the Gardena version.

**CHAIR'S REPORT
ANNOUNCEMENTS**

16. The Committee will go dark in August and resume session in September.

ADJOURN

The meeting was adjourned at 11:57 AM.

REPORT

DATE: September 10, 2019

TO: Water Committee/Water TAC

FROM: Marisa Creter, Executive Director


RE: **BACTERIA SCIENTIFIC STUDY PRESENTATION**

RECOMMENDED ACTION

For information only.

BACKGROUND

Richard Watson, Richard Watson & Associates, Inc., will give an overview of a major scientific study to be proposed for inclusion in Watershed Area Stormwater Investment Plans for funding under the Regional Program component of the Safe, Clean Water Program. The study has been designed to provide the information and data necessary to support a Regional Water Board change from unachievable bacteria water quality objectives to risk-based objectives that are achievable. The topics that will be covered include bacteria challenges, the scientific study approach, the draft study schedule and cost estimate, and proposed next steps.

Prepared by: 

Navneet Kaur
Management Analyst

Approved by: 

Marisa Creter
Executive Director

REPORT

DATE: September 10, 2019

TO: Water Committee/Water TAC

FROM: Marisa Creter, Executive Director

RE: **PROP 1 STORM WATER GRANT PROGRAM GUIDELINES**

RECOMMENDED ACTION

For information only.

BACKGROUND


The Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Prop 1) was approved by California voters in the general election on November 4, 2014. Among other funds, Prop 1 provided \$200 million for matching grants to public agencies, nonprofit organizations, public utilities, state and federally recognized Indian tribes, and mutual water companies for multi-benefit storm water management projects (Water Code section 79747). Nearly \$100 million in Prop 1 funds remain available for multi-benefit storm water projects.

In anticipation of the second solicitation for implementation projects (Round 2), which is planned to open later this year, the Division of Financial Assistance (DFA) staff have drafted the Proposition 1 Storm Water Grant Program Guidelines - Amended for Round 2.

Changes to the guidelines from Round 1 include:

- Additional requirements
 - Demonstrate the availability of funds for required match;
 - Demonstrate the project can be completed within the appropriation time frame and can meet specified timelines for completing specific project milestones, such as California Environmental Quality Act (CEQA) and permitting requirements, as specified in the funding solicitation
- Grant amount changes: Grant maximums will be applied to each eligible applicant on a programmatic basis rather than a per solicitation basis; therefore, for each eligible applicant, the combined Round 1 and Round 2 implementation awards will count toward the maximum implementation grant amount listed.
- The DFA Deputy Director may also establish a list of eligible standby projects that may be awarded grant funds if funding becomes available. Applicant's selected for funding will have sixty (60) days after the award to submit all applicable supplemental documentation listed in Appendix C. If all required documentation is not submitted within this timeframe, the funding award may be withdrawn.
- The section on "Compliance with Emergency Drought Regulations" was removed
- An example list of reimbursable costs was included

DFA staff will conduct an informational webinar on Monday, September 16, 2019 to present the draft guidelines to the public and solicit feedback. During the webinar any comments or questions can be submitted via email to swgp@waterboards.ca.gov. State Water Board consideration of adoption is tentatively scheduled for Tuesday, October 15, 2019.

Prepared by: 

Navneet Kaur
Management Analyst

Approved by: 

Marisa Creter
Executive Director

ATTACHMENTS

Attachment A – Prop 1 Stormwater Grant Program Guidelines_Round 2 Amendments

PROPOSITION 1 STORM WATER GRANT PROGRAM GUIDELINES – AMENDED FOR ROUND 2



*Draft
August 2019*



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ACRONYMS USED IN THESE GUIDELINES AND APPENDICES

ASBS	Areas of Special Biological Significance
AWMP	Agricultural Water Management Plan
Basin Plan	Water Quality Control Plan
BMP	Best Management Practice
CBTF	Clean Beaches Task Force
CEDEN	California Environmental Data Exchange Network
CEQA	California Environmental Quality Act
CLC	California Labor Code
CWA	Clean Water Act
DAC	Disadvantaged Community
DFA	Division of Financial Assistance
DWR	Department of Water Resources
DWQ	Division of Water Quality
EDA	Economically Distressed Areas
FAAST	Financial Assistance Application Submittal Tool
GAMA	Groundwater Ambient Monitoring & Assessment
Grant Manager/GM	State Water Resources Control Board's Grant Manager
IRWM	Integrated Regional Water Management
IRWMP	Integrated Regional Water Management Plan
JPA	Joint Powers Authority
LID	Low Impact Development
MHI	Median Household Income
MP	Monitoring Plan
NPDES	National Pollutant Discharge Elimination System
O&M	Operations and Maintenance
PAEP	Project Assessment and Evaluation Plan
PD	Project Director
Plan	Storm Water Resource Plan
Prop 1	Proposition 1
QAPP	Quality Assurance Project Plan
Regional Water Board	Regional Water Quality Control Board
SB	Senate Bill
SOQs	Statement of Qualifications
State Water Board	State Water Resources Control Board
SWGP	Storm Water Grant Program
TMDL	Total Maximum Daily Load
UWMP	Urban Water Management Plan
USCB	United States Census Bureau
U.S. EPA	United States Environmental Protection Agency
Water Boards	State Water Board and Regional Water Boards
Water Code	California Water Code
WDR	Waste Discharge Requirement Permit

I. Purpose

These Proposition 1 (Prop 1) Storm Water Grant Program (SWGPs) Guidelines (Prop 1 SWGP Guidelines) establish the process and criteria that the State Water Resources Control Board (State Water Board) will use to solicit applications, evaluate and select Project Proposals (Proposals), and award grants for multi-benefit storm water management projects through the Prop 1 SWGP (Prop 1 SWGP projects), as established in California Water Code (Water Code) section 79747. Section 79747 provides \$200 million in grant funds for multi-benefit storm water management projects. The purpose of Prop 1, Chapter 7 is to improve regional water self-reliance, security, and adapt to the effects on water supply arising from climate change, including measures to:

Help water infrastructure systems adapt to climate change, including, but not limited to sea level rise. Provide incentives for water agencies throughout each watershed to collaborate in managing the region's water resources and setting regional priorities for water infrastructure.
Improve regional water self-reliance consistent with Water Code section 85021.

Storm water and dry weather runoff are underutilized sources of surface water and groundwater supplies. Instead of being viewed as a resource, they are often seen as a problem that must be moved to the ocean as quickly as possible or as a source of contamination, contributing to the loss of usable water supplies and the pollution and impairment of rivers, lakes, streams, and coastal waters. Under existing law, the State Water Board and the Regional Water Quality Control Boards (Regional Water Boards) prescribe waste discharge requirements (WDRs) for the discharge of storm water in accordance with the National Pollutant Discharge Elimination System (NPDES) permit program established by the federal Clean Water Act (CWA) and the Porter-Cologne Water Quality Control Act.

Storm water or dry weather runoff projects that address discharge to an Area of Special Biological Significance (ASBS) or coastal waters, as identified in the Clean Beaches Program, may also qualify for unused or re-appropriated Proposition 84 (Prop 84) funds, Proposition 13 (Prop 13) Coastal Nonpoint Source funds, Proposition 40 (Prop 40) funds, and Proposition 50 (Prop 50) Coastal Non-Point Source funds. Should the State Water Board's Division of Financial Assistance (DFA) Deputy Director determine that a project can be funded in whole or part by any of these funds; the Deputy Director may require the applicant to submit any supplemental information required to satisfy the legal requirements of those propositions.

II. Overview

The Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Prop 1) was approved by California voters in the general election on November 4, 2014. Among other funds, Prop 1 provided

\$200 million for matching grants to public agencies, nonprofit organizations, public utilities, state and federally recognized Indian tribes, and mutual water companies for multi-benefit storm water management projects (Water Code section 79747). After bond and program administration costs, approximately \$186 million will be available for projects.

Prior to the passage of Prop 1 in November 2014, the California Legislature adopted Senate Bill (SB) 985 entitled the Stormwater Resource Planning Act (SB 985). SB 985 amended Water Code¹ sections 10561, 10562, 10563, 10573, and added sections 10561.5 and 10565 to require the development of a Storm Water Resource Plan to receive grants from a bond act approved after January 1, 2014 for storm water and dry weather runoff capture projects. The SB 985 requirement to prepare a Storm Water Resource Plan is directed to public agencies. A Storm Water Resource Plan must include a prioritized list of projects to address storm water and dry weather runoff capture on a watershed basis. Each developed Storm Water Resource Plan must be submitted to the appropriate integrated regional water management (IRWM) group for incorporation into their Integrated Regional Water Management Plans (IRWMPs). The Storm Water Resource Plan must address the requirements listed in the Water Code and be developed in accordance with the State Water Board's Storm Water Resource Plan Guidelines. Individual implementation project applicants do not need to develop their own Storm Water Resource Plan if the project is already incorporated in a Storm Water Resource Plan prepared by a public agency. Per the Water Code section 10563(c)(2)(B), a disadvantaged community (DAC) with a population of 20,000 or less and who is not listed as a co-permittee for a municipal storm water permit is exempt from the Storm Water Resource Plan requirement. To determine if a community is a DAC, please see Appendix A for more information.

The Clean Beaches Program and ASBS Grant Program funds projects that restore and protect the water quality and environment of coastal waters, estuaries, bays, and near shore waters (see Public Resource Code Section 30915-16). As part of the Prop 1 SWGP solicitation and award process, storm water and dry weather runoff capture projects that meet one of these purposes may be awarded any unused or re-appropriated Prop 84, Prop 13, Prop 40, and Prop 50 funds. Prop 1 SWGP Guidelines supersede any previously issued ASBS Grant Program or Clean Beaches Grant guidelines.

A. SOLICITATIONS

The Round 1 planning and implementation solicitations were completed in 2016. These amended Guidelines are applicable to the Round 2 solicitation, which will be for implementation grants only.

All Proposals will be evaluated for eligibility and technical merit, and ranked by applying the scoring criteria in Appendix B. Applicants with the highest ranked Proposals will be recommended for a preliminary funding award and be required to submit the supplemental documentation outlined in Appendix C. DFA staff may request additional information during the Proposal review process. For more information, refer to Guidelines Section IV – *Project Selection Process*.

Water Code section 79742(d) states that up to ten percent (10%) of the SWGP funds (up to \$20 million) shall be allocated for projects that directly benefit a DAC. More information on the definition of a DAC and the steps required to be considered for a reduction in matching funds is provided in Appendix A.

¹ References in this document to the Water Code that are not to a specific section are intended to refer to those sections of the Water Code added or amended by SB 985, namely Water Code sections 10561, 10561.5, 10562, 10563, 10565, and 10573.

I. PLANNING GRANTS

Funding for individual planning projects will not be available during the Round 2 solicitation. The Round 1 solicitation awarded approximately \$10 million to planning projects.

Also, consistent with State Water Board Resolution No. 2017-0070, the Deputy Director of the DFA awarded \$3 million in planning funds to provide technical assistance to DACs and economically distressed areas (EDAs). The technical assistance may be provided during the application process and after grant award. These funds are managed by DFA's Office of Sustainable Water Solutions.

II. IMPLEMENTATION GRANTS

Approximately, \$80 million of Prop 1 funds were available to fund implementation projects during Round 1. However, this amount was augmented with other unused or re-appropriated funds from older bonds, resulting in over \$100 million being awarded to implementation projects. Some awards were withdrawn for various reasons.

Approximately \$99 million in Prop 1 funds will be available to fund implementation projects during Round 2. The State Water Board wants to ensure sufficient time is provided for those completing their Storm Water Resource Plans; therefore, Round 2 for implementation grants will occur in late 2019 (see Section E – Schedule).

Approximately \$13 million of unused or re-appropriated Prop 84, Prop 13, Prop 40, and Prop 50 funds may also be awarded to qualifying projects. Additional requirements, such as specific water quality monitoring and reporting requirements may apply to projects receiving older bond funds. For projects addressing discharge to an ASBS, the project must be listed in an ASBS Compliance Plan and the plan must be submitted in the Proposal as Attachment 1; however, a Storm Water Resource Plan will not be required for an ASBS project that submit an ASBS Compliance Plan. For qualifying Clean Beaches projects, the project must be identified in a compliant Storm Water Resource Plan. For ASBS and Clean Beaches projects, the State Water Board will also request review and recommendations from the Clean Beaches Task Force.

III. Eligibility Requirements

Funding eligibility is based on applicant type, minimum and maximum grant amounts, match requirements, project schedule, and project type among other requirements. Applications will be evaluated for compliance with the eligibility requirements. Proposals that do not meet all eligibility requirements will not be reviewed or considered for funding.

A. ELIGIBLE APPLICANTS

Prop 1 (Water Code section 79712(a)) states that eligible applicants consist of:

- Public agencies;
- 501(c)(3) Nonprofit organizations;
- Public utilities;
- Federally recognized Indian tribes;

- State Indian tribes listed on the Native American Heritage Commission’s Tribal Consultation List; and
- Mutual water companies.

A project proposed by a public utility that is regulated by the Public Utilities Commission or a mutual water company shall have a clear and definite public purpose and shall benefit the customers of the water system and not the investors (Water Code section 79712(b)).

Groundwater Sustainability Agencies (GSAs), formed in accordance with the Sustainable Groundwater Management Act, are eligible applicants if they are a public agency or other eligible applicant type as listed above.

B. ELIGIBLE PROJECT TYPES

The following describes the eligible project types for the Round 2 implementation grant solicitation. These requirements should be considered prior to applying for grant funds.

Implementation grants will only be awarded to projects that are included and implemented in an adopted IRWMP², are included in a Storm Water Resource Plan, respond to climate change, contribute to regional water security, and contain a minimum of two benefits as listed in Section III.G. – Storm Water Management Benefits. In order to improve regional water self-reliance security and adapt to the effects on water supply arising out of climate change, the purposes of Prop 1, Chapter 7 are to:

- Help water infrastructure systems adapt to climate change, including, but not limited to sea level rise.
- Provide incentives for water agencies throughout each watershed to collaborate in managing the region’s water resources and setting regional priorities for water infrastructure.
- Improve regional water self-reliance consistent with Water Code section 85021.

Proposed projects may be located on either public or private lands. Projects may be located within urban or rural areas. Projects shall be designed to infiltrate, filter, store, evaporate, treat, or retain storm water or dry weather runoff. Preference will be given to projects that capture and use storm water for a variety of potential benefits, including (but not limited to) water supply, flood control, habitat enhancement/restoration, and creating green spaces. Preference will also be given to projects that include partnerships between the organizations that are responsible for or have a role in realizing the multiple benefits identified in the project application. Where feasible, applicants should use new and innovative technologies or practices to meet the aforementioned goals.

² For purposes of these Guidelines “included in and implemented in an adopted integrated regional water management plan” means the project is identified in a Storm Water Resource Plan or functionally equivalent plan(s) that meets all Water Code and Storm Water Resource Plan Guidelines requirements and has been submitted to the local IRWM group.

All proposed projects, regardless of funding source, must be included in a Storm Water Resource Plan. The Storm Water Resource Plan must be submitted to the local IRWM group and the IRWM group must include the plan(s) in the IRWMP. The applicant must show proof that the local IRWM group has received the plan(s) to incorporate into their IRWMP. The only exceptions where a Storm Water Resource Plan is not required are: (1) per Water Code section 10563(c)(2)(B), the requirement for a Storm Water Resource Plan does not apply to a DAC with a population of 20,000 or less that is not a co-permittee for an MS4 permit issued to a municipality with a population of more than 20,000, and (2) for projects that are in an ASBS and are covered under an approved ASBS Compliance Plan³. If an applicant or project is exempt from the Storm Water Resource Plan requirement, the project must still be included and implemented in an adopted IRWMP⁴.

Specific types of **eligible projects** include:

- Green Infrastructure,
- Rainwater and storm water capture,
- Storm water treatment facilities, and
- Demonstration or pilot projects that are consistent with the eligibility requirements of Prop 1, Chapter 7, meet all requirements identified in these Guidelines, and are designed to lead to widespread implementation of the practice throughout the watershed.
- “Nature-based” projects, which may include creation of green space, reduction of greenhouse gas emissions, promotion of community engagement, and restoration of native habitat.

Ineligible projects include:

- Projects that must seek eminent domain as part of their project implementation timeline;
- Projects that do not meet the requirements of these Prop 1 SWGP Guidelines, the Storm Water Resource Plan Guidelines, Water Code, and Prop 1; or
- Projects that consist of only education and outreach activities.

All SWGP projects must meet the following requirements:

- Be multi-benefit projects containing a minimum of two benefits listed in Section G – Storm Water Management Benefits;
- Be included and implemented in an adopted IRWMP;

³ For purposes of these Guidelines “covered under an approved ASBS Compliance Plan” means the project is identified in an ASBS Compliance Plan that has been submitted to and accepted by the Division of Water Quality.

⁴ Water Code section 79740 requires projects receiving Prop 1 storm water funds to be included in an adopted IRWM plan. If a SWRP-exempt project is located in an area outside of existing IRWM regions, and the project scores high enough for funding, then DFA will look for opportunities to fund with other bond funds available through the solicitation.

- As applicable, be included in a Storm Water Resource Plan that is consistent with the Water Code requirements and the Storm Water Resource Plan Guidelines⁵. Projects must either be specifically listed or included as a programmatic element of a Storm Water Resource Plan. Projects that implement a programmatic element of a Storm Water Resource Plan must be designed to achieve specific quantified performance goals identified in the Storm Water Resource Plan;
- Be consistent with the applicable water quality control plan (Basin Plan) adopted by the State Water Board and/or Regional Water Board;
- Demonstrate the capability of contributing to sustained, long-term water benefits for a minimum period of 20 years;
- Be operated and maintained for the project’s useful life;
- Demonstrate the availability of funds for required match;
- Demonstrate the project can be completed within the appropriation time frame and can meet specified timelines for completing specific project milestones, such as California Environmental Quality Act (CEQA) and permitting requirements, as specified in the funding solicitation; and
- Demonstrate adequate rights of way for the useful life (i.e., 20-years) of the project.

Certain control measures implemented or required by municipal storm water permits for urban runoff management might create a habitat for vectors (e.g., mosquitoes and rodents) if not properly designed or maintained. Close collaboration and cooperative efforts among permittees, local vector control agencies, local public health departments, and Water Board staff are necessary to minimize potential nuisances and public health impacts resulting from vector breeding.

C. GRANT AMOUNT

The minimum and maximum grant amounts available for implementation grants are presented in Table 1 below. Grant maximums will be applied to each eligible applicant⁶ on a programmatic basis rather than a per solicitation basis; therefore, for each eligible applicant, the combined Round 1 and Round 2 implementation awards will count toward the maximum implementation grant amount listed below.

Table 1 – Minimum and Maximum Grant Amounts

Project Type	Minimum Grant Amount	Maximum Grant Amount
Implementation	\$250,000	\$10,000,000

⁵The Storm Water Resource Plan(s) must be completed within 90-days post award. Applicants must provide details on the plan(s) process, status of the plan(s), and assurances that the plan(s) will be completed by this date. The applicant must show proof that their local IRWM group has received the plan(s) to incorporate into the IRWMP.

⁶ The Deputy Director of DFA may waive this requirement, if there are not enough high-scoring Proposals to utilize the funds.

D. MATCH REQUIREMENT

The applicant is required to provide a minimum local funding match of fifty percent (50%) of the total project cost. **Other State funds (regardless of issuing State agencies) cannot be used for the required match.** The funding match may include, but is not limited to: Federal grants and loans, local and private funding, or donated and volunteer (“in-kind”) services. Repayable financing received through the Clean Water or Drinking Water State Revolving Fund Program or a Federally sponsored loan program may be used for match. The State Water Board reserves the discretion to review and approve funding match expenditures.

Eligible reimbursable expenses incurred after the approval of Prop 1 (**November 4, 2014**) and prior to the project completion date can be applied to the funding match.

Eligible expenses for funding match are those expenses that would be eligible Proposition 1 grant costs and include, but are not limited to:

- Donated and volunteer (“in-kind”) services;
- Planning, engineering, and design specific to the implementation project;
- Permitting;
- Environmental documentation and mitigation;
- Easements and land purchases made by the applicant;
- Project implementation (e.g., purchase of material, equipment, construction);
- Project effectiveness monitoring; and
- Education and outreach if a component of the project construction.

Projects may use the services of the California Conservation Corps or certified community conservation corps as defined in Section 14507.5 of the Public Resources Code (PRC); however, any state funded expenses will not be eligible to be used for funding match.

I. **DAC AND EDA FUNDING MATCH REDUCTION**

DACs, EDAs, or an entity implementing a project on behalf of or with a project directly benefitting a DAC or EDA may request the reduced funding match outlined in Table 2. Applicants requesting match reduction must document that representatives of the DAC or EDA have been or will be involved in the planning and implementation process, and that project implementation will provide **direct benefits to these communities** (See Appendix A for details and instructions to document DAC or EDA status to qualify for match Groups A, B, and C.).

Projects located within the jurisdictional boundary (storm water service area) of a storm water management entity, with a population that meets the definition of a DAC or EDA, may qualify for the applicable Group A or Group B match reduction. The applicant is not required to be the storm water management entity; however, the storm water service area will be used to determine DAC or EDA status. Projects that do not qualify under a Group A or B match reduction category may qualify under Group C if more than 50% of the project construction occurs within and benefits a DAC or EDA as detailed in Table 2.

The Deputy Director of DFA will make the final determination on funding match reduction eligibility. If Deputy Director of DFA determines a match reduction is not allowed and the project is

approved for funding, DFA staff will work with the applicant to reduce the grant amount or increase matching funds.

Table 2 –Reduced Match for DAC and EDA

Match Requirement ^{1,2}
<p>Group A: Small & Severely DAC Storm Water Service Area and 100% of the Project Benefits the Small & Severely DAC</p> <p>5% match if population is less than 20,000 persons AND median household income (MHI) is less than 60% of the Statewide MHI</p>
<p>Group B: DAC or EDA Storm Water Service Area and 100% of the Project Benefits the DAC or EDA</p> <p>10% match if the community meets the definitions</p>
<p>Group C: Greater than 50% of the Project Construction Occurs in and Benefits a DAC/EDA</p> <p>i) 20% match, if 100% of the construction occurs in and benefits the DAC or EDA; ii) 25% match, if at least 75% (but less than 100%) of the construction occurs in and benefits the DAC or EDA; or iii) 30% match, if at least 50% (but less than 75%) of the construction occurs in and benefits the DAC or EDA.</p>
<p>¹ Match is calculated based on the <i>total project cost</i>, not on the grant amount. Total Project Cost x %Match = Required Match i.e. - \$3,750,000 (Total Project Cost) x 10% (Percent Match) = \$375,000 Match</p> <p>² See definitions in Appendix D</p>

E. SCHEDULE

Anticipated Round 2 timelines are outlined in Table 3. Any program schedule updates will be available on the SWGP website.

Table 3 – Expected Timeline¹

Round	Award	CEQA/ Permits/Access ³	Construction Complete ²	Final Report	Work Completion	Final Invoice
Implementation – Round 2	July 2020	Jan 2021	December 2022	February 2023	March 2023	April 2023
<p>¹ The timeline is subject to legislative appropriation of funds. Funds appropriated in future years will be disbursed in accordance with the appropriation(s) schedule(s). These dates represent deadline dates; therefore, applicants should plan to complete the tasks well in advance of the listed dates.</p> <p>² Construction must be completed early enough to perform post-construction monitoring, as appropriate, to determine project effectiveness.</p> <p>³ CEQA documentation and all permits or other approvals, such as land acquisition or easements, necessary for project implementation should be complete no later than six (6) months following the funding award. Failure to comply with this timeline may result in withdrawal of the funding award.</p>						

F. EDUCATION AND OUTREACH

As indicated in Water Code section 79707(g) and to the extent practicable, **all projects must include signage** informing the public that the project received funds from Prop 1. Other education and outreach costs that are directly related to the completion of the implementation project could be eligible for reimbursement of grant funds or matching funds; however, a direct correlation between the education and outreach activities, the construction of the project, and expected project benefits from the education and outreach must be clearly identified.

G. STORM WATER MANAGEMENT BENEFITS

As indicated in the Water Code section 79747(a), only multi-benefit storm water management projects are eligible for grant funds. Multi-benefits include, but are not limited to, a project that addresses:

- Water Supply:
 - Increased water supply reliability
 - Conjunctive use
 - Increased water conservation
- Water Quality:
 - Increased filtration and/or treatment of runoff
 - Nonpoint source pollution control
 - Reestablished natural water drainage and treatment
- Flood Management:
 - Decreased flood risk by reducing runoff rate and/or volume
 - Reduced sanitary sewer overflows
- Environmental:
 - Environmental and habitat protection and improvement, including:

- Wetland enhancement and/or creation
 - Riparian enhancement; and/or
 - Instream flow improvement
- Increased urban green space
- Improved air quality
- Reduced energy use, greenhouse gas emissions, or provides a carbon sink
- Reestablishment of the natural hydrograph
- Water temperature improvements
- Community:
 - Improved public health
 - Employment opportunities provided
 - Public education
 - Community involvement
 - Enhanced and/or created recreational and public use areas

IV. Project Selection Process

The SWGP implementation projects will be selected through a competitive process. Proposals will be evaluated by DFA staff for completeness, eligibility, and technical merit (with input from the Division of Water Quality and Regional Water Boards) and ranked by applying the evaluation criteria found in Appendix B. Based on the staff evaluation and recommendations, the DFA Deputy Director’s review, and available funds, DFA’s Deputy Director will award funds to the highest ranked Proposals. The Deputy Director may partially fund the project where the review indicates that a project does not qualify for the full amount of funding sought or when there are more qualified projects requesting grant funds beyond what is available.

A. APPLICANT ASSISTANCE WORKSHOPS

State Water Board staff will conduct technical assistance workshops to address questions and provide general assistance to applicants in preparing their Proposals. The dates and locations of the workshops will be posted on the Prop 1 SWGP website and announced via the SWGP electronic mailing list, as well as State Water Board website at:

https://www.waterboards.ca.gov/water_issues/programs/grants_loans/swgp/prop1/

B. SOLICITATION AND SUBMITTAL OF PROPOSALS

State Water Board staff will release the Round 2 solicitation notice after the adoption of the Amended Prop 1 SWGP Guidelines. The solicitation notice will include the application period, due date, and detailed instructions for submitting the Proposals.

The solicitation notice will be e-mailed to all interested parties on the State Water Board’s “Storm Water Grant Program” electronic mailing list. Interested parties may sign up for the electronic mailing list at:

<http://www.waterboards.ca.gov/subscribe>

The application will be submitted using the State Water Board's Financial Assistance Application Submittal Tool (FAAST) online system. The applications and evaluation criteria for the Proposal is presented in Appendices B. The FAAST applications will be available following issuance of the solicitation notices, at the following secure link:

<https://faast.waterboards.ca.gov/>

DFA staff may make changes to the application questionnaires during final preparation of the review questionnaire for the FAAST system. The intent of the Prop 1 SWGP Guidelines is to give the applicants an understanding of the types of information that will be required in the solicitation process. **Applicants should rely on the questions as they appear in the FAAST Questionnaire.**

Applicants will be asked to organize their Proposal in a format consistent with the evaluation criteria. This approach should assist applicants in providing complete documentation and will streamline the review process. Applicants should use consistent terminology throughout their application.

All Proposals must be submitted in FAAST by the posted date and time deadline.

C. COMPLETENESS REVIEW

Applications must contain all required items. All applications, including attachments and supporting documentation, must be provided by the submittal deadline. **Any material submitted after the deadline will not be reviewed or considered.** State Water Board staff will initially evaluate and screen each application for completeness. **Incomplete applications will not be reviewed or considered for funding.** Applicants will be notified if their Proposal was determined to be incomplete and not reviewed further.

D. ELIGIBILITY REVIEW

Complete applications will be evaluated for compliance with the eligibility criteria. All Proposals must meet the eligible applicant requirements (Appendices B-2 and C-2). **Applications that are determined to be ineligible will not be reviewed or considered for funding.** Applicants will be notified if their Proposal was determined to be ineligible for funding.

E. PROPOSAL REVIEW AND SELECTION PROCESS

State Water Board and Regional Water Board staff will provide technical review of all eligible Proposals based on technical feasibility, ability to achieve the program preferences, readiness to proceed, cost effectiveness, and other criteria established in the *Scoring Criteria* as outlined in Appendix B.

DFA staff may recommend reducing individual grant amounts from the requested amount. However, such reductions will be considered only if technical reviewers have indicated that the budget is too high, or some tasks are determined to be ineligible for the grant program or are not necessary. A reduction would also be weighed against whether the reduced funding would impede project implementation or if the proposed budget is determined inconsistent with similar

projects. A reduction in requested grant funds can also occur when the grant funds requested by well-qualified projects exceeds the amount of funding available.

The Proposals will be ranked based on a technical review by Water Board staff, Regional Board staff, and DFA management and only the highest ranking Proposals will be recommended to the DFA's Deputy Director for funding. The DFA's Deputy Director will issue final approval of a Recommended Funding List and will make any final decisions regarding reductions in requested funding. The DFA Deputy Director may also establish a list of eligible standby projects that may be awarded grant funds if funding becomes available. Applicant's selected for funding will have sixty (60) days after the award to submit all applicable supplemental documentation listed in Appendix C. If all required documentation is not submitted within this timeframe, the funding award may be withdrawn.

F. APPLICANT NOTIFICATION

DFA staff will distribute the Recommended Funding List through our electronic mailing list and post it on the Prop 1 SWGP website.

Congratulatory e-mails will be sent to those applicants awarded grant funds. These emails will include important information to aid the grant agreement process.

Applicants whose Proposal was deemed incomplete or ineligible during the Completeness and Eligibility Review process or who were not recommended for funding will receive a separate e-mail notification. For additional information and/or clarification, we encourage those applicants to contact DFA staff at:

swgp@waterboards.ca.gov

V. General Program Requirements

All applicants that are awarded a grant through the SWGP must comply with the following general program requirements. Before proceeding with the application process, applicants must consider their ability to comply with these requirements.

A. CONFLICT OF INTEREST

Applicants are subject to State and Federal conflict of interest laws. Failure to comply with these laws, including business and financial disclosure provisions, will result in the application being rejected and any subsequent grant agreement being declared void. Other legal action may also be taken. Before submitting an application, applicants are urged to seek legal counsel regarding conflict of interest requirements. Applicable statutes include, but are not limited to, California Government Code section 1090 and California Public Contract Code sections 10410 and 10411.

B. CONFIDENTIALITY

Any privacy rights, as well as other confidentiality protections afforded by law with respect to the application package, will be waived once the Proposal has been submitted to the State Water Board.

The location of all projects awarded funding, including the locations of management measures or practices implemented, must be reported to the State Water Board and Regional Water Boards (Water Boards) and will be available to the public. The Water Boards may report project locations to the public through internet-accessible databases. The State Water Board uses Global Positioning System coordinates for project and sampling locations. See item G of the General Program Requirements Section for additional information on monitoring and reporting requirements.

C. LABOR CODE COMPLIANCE

Grantees are bound by all the provisions of the Labor Code regarding prevailing wages and shall monitor all contracts subject to reimbursement from the grant agreement to assure that the prevailing wage provisions of the Labor Code are being met.

For those applicants that receive Proposition 84 funds, the grantee is required to have a labor compliance program (LCP) in place or to have contracted with a third party that has been approved by the Director of the Department of Industrial Relations to operate an LCP pursuant to PRC section 75075, Labor Code section 1771.3(c) and 1771.5, and California Code of Regulations title 8 section 16423.

Before submitting an application, applicants are urged to seek legal counsel regarding Labor Code compliance. See the California Department of Industrial Relations website (<http://www.dir.ca.gov/lcp.asp>) for more information.

D. CEQA COMPLIANCE

All projects funded under the SWGP must comply with the California Environmental Quality Act (CEQA). Grantees are responsible for complying with all applicable laws and regulations for their projects, including CEQA. State Water Board selection of a project for a grant does not indicate that the consideration of alternatives or mitigation measures that would reduce or eliminate adverse environmental effects of that project is adequate. **No work may proceed until the State Water Board completes its own CEQA findings.**

During the CEQA process for the release, consideration, and adoption of a negative declaration, mitigated negative declaration, or environmental impact report 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 (PRC section 21080.3.1, 75102).

E. RELATED LITIGATION

A grantee cannot use funds from any disbursement under a grant agreement to pay costs associated with any litigation the grantee pursues. Regardless of whether the project is the subject of litigation, the grantee agrees to complete the project funded by the grant agreement or to repay all grant funds plus interest.

F. PROJECT ASSESSMENT & EVALUATION PLANS

Grantees are required to assess and report on project effectiveness, which may include, but is not limited to, qualitative assessments, determining volume of storm water and dry weather runoff captured or treated, and assessing improvements in storm water discharge quality resulting from project implementation. The goals and targets must meet the standards provided in the Storm Water Resource Plan Guidelines and report the appropriate metric(s) for the benefit(s) claimed.

All Proposals must include a Project Assessment and Evaluation Plan (PAEP) table to summarize how project performance will be assessed, evaluated, and reported. 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; and
- 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.

In addition, grantees must submit an updated PAEP after the grant agreement is executed and make annual updates thereafter for the term of the agreement. The PAEP must include a summary of project goals, the appropriate performance measures to track the project progress, and measurable targets that the applicant thinks are feasible to meet during the project period. The PAEP is not intended to be a monitoring plan. PAEP guidance will be provided by the assigned Grant Manager.

G. MONITORING

If project effectiveness is being evaluated through water quality monitoring, the grantee must prepare a monitoring plan (MP). The MP must include a description of the monitoring program and objectives, types of constituents to be monitored, methodology, the frequency and duration of monitoring, and the sampling location for the monitoring activities. Water quality monitoring, if included, will typically be required for one wet season after the completion of construction. Guidance on the MP will be provided by the assigned Grant Manager.

Data produced and submitted in association with the MP must be generated by a laboratory accredited by the State of California Environmental Laboratory Accreditation Program (ELAP). The laboratory must hold a valid certificate of accreditation for the analytical test methods specified in the MP or equivalent analytical test methods validated and approved for intended use. The laboratory must include quality assurance/quality control data in all data reports and submit electronic data as required by the State Water Board. Data generated using field tests is exempt pursuant to California Water Code Section 13176. Please see the ELAP website https://www.waterboards.ca.gov/drinking_water/certlic/labs/ for additional information.

H. DATA MANAGEMENT

Projects must include appropriate data management activities so that project data can be incorporated into appropriate statewide data systems, which may include but is not necessarily limited to:

- a. Groundwater quality monitoring data must be integrated into GeoTracker and be compliant with an approved Quality Assurance Project Plan (QAPP). Data will be available to the stakeholders, agencies, and the public. Please see the GeoTracker website <http://geotracker.waterboards.ca.gov/> for additional information.
- b. Groundwater monitoring data also must be integrated into the Groundwater Ambient Monitoring & Assessment (GAMA) database. Please see the GAMA website <http://waterboards.ca.gov/gama/> for additional information.
- c. Surface water quality monitoring data must be integrated into the California Environmental Data Exchange Network (CEDEN) and be compliant with an approved QAPP. Data will be available to the stakeholders, agencies, and the public. Please see the CEDEN website <http://www.ceden.org/> for additional information.

I. REPORTING

Every grantee is required to submit quarterly progress reports that detail activities that have occurred during the applicable reporting period. Reporting is required even if no grant related activities took place during the reporting period. At the conclusion of the project, the grantee must submit a Final Project Summary, Final Project Inspection and Certification, and a comprehensive Draft and Final Project Report. Templates or outlines for all these reports will be provided by the Grant Manager.

J. OPERATIONS AND MAINTENANCE

The grantee shall maintain and operate the facility and structures constructed or improved as part of the project throughout the useful life of the project (at least 20 years), consistent with the purposes for which this grant was made. The grantee assumes all operations and maintenance (O&M) costs of the facilities and structures; the State Water Board shall not be liable for any cost of such maintenance, management, or operation. Operation costs include direct costs incurred for material and labor needed for operations, utilities, insurance, and similar expenses. Maintenance costs include ordinary repairs and replacements of a recurring nature necessary to prolong the life of capital assets and basic structures, and the expenditure of funds necessary to replace or reconstruct capital assets or basic structures. DFA may require the Recipient to periodically report on long-term operation and maintenance during the useful life of funded projects and require the grantee to submit supporting documentation, photos, or other materials, as deemed appropriate by DFA, and at the grantee's expense. A grantee's failure to operate and maintain a project throughout its useful life may constitute a breach of the grant agreement.

K. URBAN AND AGRICULTURAL WATER MANAGEMENT PLAN AND GROUNDWATER PLANNING REQUIREMENTS

I. URBAN WATER MANAGEMENT PLANNING ACT COMPLIANCE

Water suppliers who were required by the Urban Water Management Planning Act (Water Code section 10610 *et seq.*) to submit an Urban Water Management Plan (UWMP) to the Department of Water Resources (DWR) must have submitted a complete UWMP to be eligible for grant funding. Applicants and project proponents that are urban water suppliers and have projects that would receive funding through the SWGP program must have a UWMP that has been verified as complete by DWR before a grant agreement will be executed. *Note: The 2015 UWMPs are due for submittal to DWR by July 1, 2016.*

II. AGRICULTURE WATER MANAGEMENT PLAN COMPLIANCE

Agricultural water suppliers are not eligible for a water grant or loan awarded or administered by the State unless the supplier complies with SBx7-7 water conservation requirements outlined in Water Code section 10608, Division 6, Part 2.55, which requires that submittal of an Agricultural Water Management Plan (AWMP).

III. GROUNDWATER MANAGEMENT PLAN COMPLIANCE

Per Water Code section 79742(b), “A local agency that does not prepare, adopt, and submit its groundwater plan in accordance with groundwater planning requirements established under Division 6 (commencing with Section 10000) is ineligible to apply for funds made available pursuant to this chapter until the plan is prepared and submitted in accordance with the requirements of that part. The groundwater management plan requirement shall not apply to a water replenishment district formed pursuant to Division 18 (commencing with Section 60000) or to a local agency that serves or has authority to manage an adjudicated groundwater basin.” All applicants must submit a self-certification form for Groundwater Management Plan Compliance prior to the execution of a funding agreement.

IV. SURFACE WATER DIVERSION REPORTING COMPLIANCE

A diverter of surface water is not eligible for a water grant or loan awarded or administered by the state unless it complies with surface water diversion reporting requirements outlined in Part 5.1 (commencing with section 5100) of Division 2 of the Water Code.

V. WATER METERING COMPLIANCE

Any applicant that is an urban water supplier and applies for financial assistance from the state for a water use efficiency project or for a permit for a new or expanded water supply, shall demonstrate that the applicant complies with water metering provisions of Division 1, Chapter 8, Article 3.5 of the California Water Code (sections 525 through 529.7). All applicants must submit a self-certification form prior to execution of a funding agreement.

L. GRANT AGREEMENT

Following funding awards, the State Water Board may execute grant agreements with awardees. Grant agreements are not executed until signed by authorized representatives of the grantee and the State Water Board.

It is **HIGHLY recommended** that applicants review the grant agreement template prior to submission of their Proposal. If applicants are not able to abide by the terms and conditions contained therein, applicants should not submit a Proposal. A copy of a grant agreement template will be posted prior to opening the funding solicitations on the SWGP webpage (Part IV, A).

At the discretion of DFA, the applicant may be required to submit, to the satisfaction of DFA and DFA’s counsel, a legal opinion from the applicant’s counsel upon execution of the financing agreement. A sample template for this legal opinion is available on the SWGP webpage at https://www.waterboards.ca.gov/water_issues/programs/grants_loans/swgp/prop1/.

The State Water Board encourages collaboration in the development and implementation of projects. Parties that wish to collaborate on a Proposal may elect to use a contractor-subcontractor relationship, a joint venture, a joint powers authority (JPA), or other appropriate mechanism. Grant agreements will generally be executed with one eligible grantee per project⁷. This grantee can subcontract with partners for implementation of the project tasks but shall remain responsible for the project and compliance with the grant agreement. Subcontracting with another entity does not relieve the grantee of its responsibilities. The State Water Board will not have a relationship with a grantee's collaborators or subcontractors, whose performance shall be the grantee's responsibility.

Notwithstanding the foregoing, DFA may revise the standard grant agreement terms and conditions to reflect requirements in state law, executive orders or direction, State Water Board policy, or best practices.

M. REIMBURSEMENT OF COSTS

Only costs directly related to the project and work performed within the terms of the grant agreement will be eligible for reimbursement. Eligible expenses incurred upon the start date⁸ listed in the grant agreement and prior to the project completion date may be reimbursed. Advance funds will not be provided.

Eligible costs will not be reimbursed until after CEQA documents, permitting, and access negotiations are complete and relevant deliverables submitted. Exceptions may be approved on a case-by-case basis for DACs. Such exceptions must be requested prior to agreement execution.

Reimbursable costs include the reasonable costs necessary for successful project implementation, including but not limited to:

- Project administration and management;
- Site assessment and planning;
- Engineering, including preparation of design plans and specifications;
- Permitting, and preparation of environmental documentation;
- Easement and land purchases, except land acquired through eminent domain;
- Environmental mitigation;
- Project implementation or construction, including eligible and reasonable costs for:
 - Restoration of site conditions after construction,

⁷ In unique cases where ownership and/or operations and maintenance of the project will be shared by more than one entity, multiple signatories to the funding agreement may be required.

⁸ A start date after the award date but prior to the execution date may be permitted on a case-by-case basis and will require that the applicant submit key documents such as environmental documents and plans and specification to the State Water Board for review and acceptance prior to initiating the work. Costs incurred prior to execution will be at the recipient's own risk and the eligibility of specific costs remains subject to review and determination by the Division before agreement execution.

- Compliance with the American Disabilities Act,
- Installation of traffic control features, such as speed bumps, bike lanes, and bulb-outs, if they contribute to a quantifiable benefit, assist in the management of stormwater runoff, or are necessary to mitigate safety concerns that are caused by implementation of the project, and,
- Components necessary for long-term monitoring.
- Project monitoring within the term of the agreement; and
- Education and outreach necessary for successful project implementation.

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

- Costs, other than those noted above, incurred outside the terms of the grant agreement with the State Water Board;
- Operation and maintenance costs for maintenance, management, and operation beyond initial startup;
- Education and outreach not directly related to project construction;
- Purchase of equipment not an integral part of the project or included in the line item budget;
- Establishing a reserve fund;
- Replacement of existing funding sources for ongoing programs;
- Expenses incurred in preparation of the Proposal;
- Payment of principal or interest of existing indebtedness or any interest payments; and
- Recipient overhead, markup, or indirect costs.

N. GRANT MANAGER NOTIFICATION

Grantees will be required to notify the State Water Board Grant Manager prior to conducting construction, monitoring, demonstration, or other implementation activities so that the Grant Manager may observe to verify activities are conducted in accordance with the grant agreement. The Grant Manager may document the inspection with photographs and notes, which may be included in the SWGP project file.

O. DIVISION OF FINANCIAL ASSISTANCE ADDITIONAL AUTHORITY

Funds may become available from projects which are withdrawn or completed under budget. The DFA Deputy Director is authorized to withdraw grant funds from grantees that are non-responsive, or to withdraw funds if there are significant changes to the project scope, schedule, or budget. The Deputy Director of the DFA is authorized to utilize these funds for standby projects or for augmenting the scope and budget of projects previously awarded grants. Additional activities funded under existing grants will be subject to these Guidelines and must complement or further the goals of existing projects. Award of additional grant funding is not typical and should not be expected. By entering into a grant agreement, the recipient accepts responsibility for ensuring their project is constructed on schedule and within the budget in the grant agreement. The recipient is responsible for completing the project notwithstanding any cost overruns.

VI. Appendices

APPENDIX A: REQUESTS FOR REDUCED FUNDING MATCH FOR DACs AND EDAs

APPENDIX B: PROJECT PROPOSAL APPLICATION & EVALUATION CRITERIA

APPENDIX C: SUPPLEMENTAL DOCUMENTATION

APPENDIX D: DEFINITIONS

Appendix A: Requests for Reduced Funding Match for DACs And EDAs (If Applicable)

A. PURPOSE

The purpose of this Appendix is to provide guidance for demonstrating eligibility for the reduced funding match for the SWGP. **Do not request a match reduction if (1) the project is not located in and does not benefit a DAC/EDA, or (2) DAC/EDA representation or participation in the project implementation process cannot be demonstrated.** At a minimum, the following information must be included in the application:

I. FOR GROUP A ELIGIBILITY:

(a) The project must be located in a local storm water management entity's service area (Service Area) that qualifies as a DAC. (b) One hundred percent (100%) of the project must provide benefits to the Service Area. (c) The service area must have a population of less than 20,000.

- Provide the total population and MHI of the Service Area and describe the methodology used to determine the population and MHI. The applicant must identify what census geographies (e.g., census designated place, census tract, census block group) were used, and how they were applied. Applicants may use a single type of census geography or combinations of 2015 or later Census geographies in determining the MHI and population. However, the census geography that is used must be consistent for both MHI and population.

II. FOR GROUP B ELIGIBILITY:

(a) The project must be located in a Service Area that qualifies as a DAC or EDA. (b) One hundred percent (100%) of the project must provide benefits to the Service Area.

- Provide the MHI of the Service Area and describe the methodology used to determine the MHI. The applicant must identify what census geographies (e.g., census designated place, census tract, census block group) were used, and how they were applied. Applicants may use a single type of census geography or combinations of 2015 or later Census geographies in determining the MHI.

III. FOR GROUP C ELIGIBILITY:

At minimum, fifty percent (50%) of the project construction must be located in and provide benefits to a DAC or EDA. (b) Projects not providing 100% of the benefits to a DAC or EDA Service Area, including projects not located within the jurisdictional boundary of a local storm water management agency may be eligible under this group.

- Provide the MHI of the DAC or EDA and describe the methodology used to determine the MHI. The applicant must identify what census geographies (e.g., census designated place, census tract, census block group) were used, and how they were applied. Applicants may use a single type of census geography or combinations of 2010 or later Census geographies in determining the MHI.

IV. FOR ALL GROUPS:

Regardless of which Group the project may be eligible for, the following information is also required.

- Indicate under which group from Section III.D (Table 2) the applicant is claiming match eligibility for the project (for Group C indicate whether claiming part I, ii, or iii);
- Identify the local entity responsible for storm water management in the project area (if applicable) and DAC/EDA's;
- Provide a map with sufficient geographic detail to define the boundaries of the overlying storm water management entity's service area, the DAC/EDA, and the project construction and benefit areas; This information may be included within the Project Map required in Attachment 2 (See Appendix B) of the application;
- Provide information on the percentage of the project that benefits the DAC/EDA and the type of direct benefits and impacts of the project to the DAC/EDA. The explanation should include the nature of the anticipated benefit, the certainty that benefit will accrue if the project is implemented, and which DAC/EDA in the project area will benefit and/or be impacted;
- Supporting information that demonstrates how the DAC/EDA is, or will be, involved in the implementation process of the project must be included. Information must demonstrate how the DAC/EDA or their representatives are participating in the implementation process. Applicants may include letters from the DAC/EDA representatives that verify support of and inclusion and participation in the process. The letters of support may be submitted as part of Attachment 11 (See Appendix B) of the application; and
- Calculation of the reduced funding match amount (in dollars). Note: the funding match amount will be calculated based on the **total project cost**.

B. DATA REQUIREMENTS

The following data requirements must be met:

- MHI and population data must be from 2015 or later United States Census Bureau (Census Bureau) data sets, or an income/population survey if no representative census data is available;
- MHI and population data used in analysis must be from the same time period and geography;
- Use of zero values for populations and MHI for disadvantaged communities are not appropriate in data sets; and
- Text, data, and other information that supports selection of areas as a DAC/EDA must be provided.

C. RESOURCES

For assistance with accessing census data see the Census Bureau's website (<http://www.census.gov/#>) or the American FactFinder website (<http://factfinder.census.gov/>).

To determine whether the project is located within an EDA, please refer to DWR's website at: http://www.water.ca.gov/irwm/grants/resources_eda.cfm.

D. STATE WATER BOARD REVIEW OF CLAIMED MATCH REDUCTION

Applicants must be aware of the following:

- The reduction of the funding match presented in the application is a request that will not be automatically granted.
- State Water Resources Control Board staff will review the disadvantaged community/economically distressed area information submitted in the application prior to making a decision to accept, modify, or deny such a reduction.
- Should the Proposal be chosen for funding, but the requested reduction in funding match is rejected or modified, the grantee is responsible for costs exceeding the grant funding amount to complete the project and any additional required match.
- The State Water Board may rescind the grant award if the grantee cannot either:
 - Cover increased costs and/or match due to rejection or modification of the request for reduction in the funding match; or
 - Adequately restructure the Proposal within the available budget, while still meeting its original intent.

Appendix B: Project Proposal Application & Evaluation Criteria

Appendix B-1 Project Proposal Application

Appendix B-2 Project Proposal Evaluation Criteria

Please note that the application and/or review questions outlined in Appendix B may be reworded, combined, or separated as the information is transferred to the online FFAST. DFA staff may make clarifying or editorial changes to the application following adoption of these Guidelines. Appendix B is subject to change depending on the final preparation of the review questionnaire for the FFAST system. Appendix B is a tool to guide applicants on the types of information that will be required; however, please refer to FFAST upon opening of the solicitation for the final list of questions and required attachments. No substantive changes will be made to the evaluation criteria and scoring scheme.

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E. Appendix B-1: Project Proposal Application

The following information is provided as a guide for applicants to ensure that they have submitted the required information. Character limits refer to character limits in FFAST.

A. Funding Program Selection & General FFAST Information	
1.	REQUEST FOR PROPOSALS (RFP) SELECTION
	Select the “Prop 1 Round 2 SWGP Project Proposals.”
2.	GENERAL INFORMATION
	<u>Project Title</u> – Provide the title of the Proposal.
	<u>Project Description</u> – Provide a brief description of the project. The length of the Project Description is limited to 250 characters (including spaces).
	<u>Applicant Details</u> – Provide the name and address of the applicant organization.
	<u>Project Director</u> – The Project Director (PD) is responsible for adhering to the terms of the grant agreement, keeping the project on track, submitting deliverables in a timely manner, and overall management of the administrative and technical aspects of the grant agreement. The PD must be an employee of the Grantee. Persons that are subcontractors to be paid by the grant cannot be listed as the PD.
	<u>Grant Contact</u> – The Grant Contact is the day-to-day contact on the project from the applicant organization.
	<u>Grant Funds Requested</u> – Provide amount of grant funds requested for the project in dollars.
	<u>Total Budget</u> – Includes the grant funds requested, funding match and other funding sources not reported as match (e.g., other grant funds).
	<u>Latitude/Longitude</u> – Enter latitude/longitude coordinates of the approximate midpoint of the project location in degrees using decimal format.
	<u>Watershed</u> – Provide names of the watersheds where the project is located. If the project covers multiple watersheds, list the primary watershed first.
	<u>County</u> – Provide the county in which the project is located. If the project covers multiple counties, select “Multiple Counties” from the drop-down list.
	<u>Responsible Regional Water Board</u> – Provide the name of the Regional Water Quality Control Board (Regional Water Board) in which the project is located. If the project extends beyond one Regional Water Board boundary, select “Statewide” from the drop-down list.
3.	LEGISLATIVE INFORMATION
	Enter the State Assembly, State Senate, and U.S. Congressional Districts in which the project is located. For projects that include more than one district, please enter each district. Lookup tables are provided in FFAST to assist with determining the appropriate districts.
4.	COOPERATING ENTITIES

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	Include entities that have/will assist the applicant in project development or implementation. Provide names of cooperating entities, role/contribution to project, first and last name of entity contact, phone number, and email address.
5.	<p>AGENCY CONTACTS</p> <p>If the applicant has been collaborating with State and Federal agencies (Department of Water Resources [DWR], Regional Water Board, State Water Board, U.S. EPA, etc.) in the development of the Proposal, please provide agency name, agency contact first and last name, phone, and email address. This information is used to identify individuals who may have an understanding of the project and in no way indicates an advantage or disadvantage in the ranking process.</p>
6.	<p>APPLICATION QUESTIONNAIRE</p> <p>The answers to these questions will be used in processing the application and determining the eligibility and completeness of the application.</p>
7.	<p>PROJECT CLASSIFICATION</p> <p>These questions allow State Water Board staff to categorize the types of activities the project is proposing to implement.</p>

B. Background Information	
1.	ELIGIBILITY REQUIREMENTS
a.	Select the applicant's organization type from the drop-down menu. In order to be considered eligible, the applicant must be a public agency, nonprofit organization, public utility, federally recognized Indian tribe, state Indian tribe listed on the Native American Heritage Commission's Tribal Consultation List, mutual water company, or eligible GSA.
b.	Is the proposed project included within a Storm Water Resource Plan (SWRP) that addresses the requirements of the Water Code and, if applicable, the SWRP Guidelines (i.e. for State Water Board funded Plans)? If the plan has not already been accepted by the State Water Board (list of approved plans available online at https://www.waterboards.ca.gov/water_issues/programs/grants_loans/swrp/ , provide a copy of or link to the Plan(s) as <u>Attachment 1</u> along with the completed SWRP Self-Certification Checklist provided in the SWRP Guidelines. If a SWRP is not already accepted or provided, please explain the status of the SWRP, steps needed to complete the SWRP, contact information for the lead entity preparing the SWRP, and a schedule for SWRP completion. If the applicant is a DAC that is exempt from the SWRP requirement, provide documentation showing the project is included in an adopted IRWMP. If the project is exempt from the SWRP because it benefits an ASBS, provide proof that the project is listed in an ASBS Compliance Plan that has been submitted to the State Water Board's Division of Water Quality.
c.	Are you an Urban Water Supplier, Agricultural Water Supplier, or local groundwater user? If yes, have you adopted and submitted to DWR an Urban Water Management Plan, an Agricultural Water Management Plan, or any required Groundwater Management Plan?

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d.	Is the proposed project consistent with the applicable Basin Plan, including any TMDLs, and any applicable NPDES permit or WDRs? For projects that address discharge of storm water or dry weather runoff to an ASBS, is the project consistent with or identified in the applicable ASBS compliance plan?
e.	Is the project type consistent with the eligible project types described in the Prop 1 SWGP Guidelines (Eligibility Requirements; Section III, Part B)? Please explain.
f.	What percent funding match will be provided? If less than 50% is proposed, provide the required attachments and supporting documentation in the application. See Appendix A for further details.
g.	Is the project a multi-benefit project that contains a minimum of two benefits listed in the Guidelines Part III, Section G – Storm Water Management Benefits? List the multi-benefits the proposed project addresses. A brief (i.e. one paragraph for each benefit) overview of the methodology used to quantify each benefit will be required in Attachment 8.
h.	Will California Environmental Quality Act (CEQA) documentation and all permits, easements, land acquisitions, or other agreements or approvals necessary for project implementation be finalized within six (6) months of the funding award? Will construction be complete by December 2022?
i.	If the applicant or any cooperating entity has received funding from the State Water Board previously, did the applicant or cooperating entity complete the project(s) in accordance with the funding agreement and demonstrate its ability to competently manage the project? Has the applicant or any cooperating entities entered into a contract or grant agreement with the State Water Board: (1) that was terminated; (2) in which funds were withheld by the State Water Board; (3) in which the grantee was notified of a Breach of Agreement; or (4) that has been the subject of an audit in which there were findings regarding management of the project or funds by the applicant or cooperating entity? If so, explain the actions taken to address the problems.
CERTIFICATION	
j.	<p>_____ (initials): By initialing the box, the <u>Project Director</u> is certifying that:</p> <ol style="list-style-type: none"> 1. The applicant(s) is/are an eligible entity; 2. The project is listed and implemented in an adopted IRWMP and SWRP, or equivalent, that has been submitted to your local IRWM group OR that a SWRP will be completed within 90 days of the grant award; 3. He/she is aware that any attachment exceeding the maximum page limit will not be reviewed beyond the page limit (i.e., Project Description Attachment exceeding 10 pages maximum (not counting diagrams, pictures, figures) will be reviewed up to Page 10 only; any subsequent pages will be eliminated from the review process); 4. He/she is aware that incomplete Proposals will not be scored and will be automatically rejected; 5. He/she is certifying that the applicant is current on the submittal of surface water diversion and use reporting (if applicable) pursuant to Division 2 of the Water Code in Part 5.1 (commencing with section 5100); 6. He/she is aware that, once the Proposal has been submitted in FFAST, any privacy rights as well as other confidentiality protections offered by law with respect to the application package and project location are waived;

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	<p>7. The proposed project will contribute to sustained, long-term water benefits for a period of 20 years and addresses the causes of degradation rather than the symptoms;</p> <p>8. The applicant is capable of and commits to operating and maintaining the Project throughout its useful life; and</p> <p>9. He/she has read and agrees to the General Terms and Conditions of the grant agreement. If the Project Director does not agree with the terms and conditions, the Proposal may be rejected. (All applicants are required to check the box and initial next to the statement for their application to be reviewed. All applications missing the Certification will be deemed incomplete and ineligible.)</p>
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C. Project Proposal Questions	
1.	BACKGROUND
a.	Identify and describe the watershed boundary and the groundwater basin the project is located in, and briefly describe the land use, the water quality and water supply issues present in the watershed, including: a description of the water quality of the storm water and dry weather runoff and known sources of pollutants in the storm water and dry weather runoff, groundwater conditions, impaired water bodies (i.e. 303d listed) and their beneficial uses etc.
b.	List any total maximum daily load (TMDL), national pollutant discharge elimination system (NPDES) permit, waste discharge requirement permits (WDRs), ASBS requirements, and municipal storm water (MS4) permits that are applicable to your watershed(s) boundary.
c.	Provide a Map(s) (<i>Attachment 2</i>) depicting the project location, major streets, storm water capture area and size of area to be treated, proposed BMP locations, utilities relevant to the implementation of the project, water bodies, and identification of any Areas of Special Biological Significance and nearby beaches, and the service area boundary of the local storm water management agency.
2.	PROJECT DESCRIPTION
	<p>Prepare a detailed description of the project (<i>Attachment 3, 10 pages maximum – excluding other attached documents</i>) that describes how the project meets the eligible project types outlined in Section III, Part B of the Eligibility Requirements. The project description must include, but is not limited to:</p> <p>a) <u>Goals and Objectives</u>: a brief description of how the project protects or improves water quality, helps water infrastructure systems adapt to climate change, provides incentives for water agencies throughout each watershed to collaborate in managing the region’s water resources and setting regional priorities for water infrastructure, improves regional water self-reliance, and provides multiple benefits.</p> <p>b) <u>Purpose and Need</u>: a description of the drainage/catchment area (i.e. area, land use, imperviousness) and the approximate quantity of storm water and/or dry weather runoff to be: captured, treated, infiltrated, used by the completed project; the water supply offset as a result of the overall project (if applicable); and a</p>

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description (and where possible, quantification) of the other benefits expected from the project.

- c) Construction Elements: a description of construction elements (i.e. storm water BMPs, new facilities, utilities, etc.) that will be implemented to achieve the goals, objectives, and purpose of the project, including, a technical discussion on why the proposed elements are appropriate, including the results of geotechnical evaluations if completed, and a brief description of how the project will function once implemented. Attach a process flow schematic (**Attachment 4**) of the project with estimated sizing criteria for the proposed elements (i.e. area of bioretention, diversion flow rates, length of pipe, storage capacity, pump capacity, etc).
- d) Project Timing and Phasing: a discussion of whether this project is a part of a phased project or part of a larger project effort. The project schedule is provided in Attachment 8. If there are any items that are known to have the potential to delay the schedule compared to what is shown in Attachment 8, please describe those items, significance of potential delays in achieving the overall work completion date, and indicate any measures that are being taken to mitigate the potential for such delays to occur.
- e) Permitting, Land Acquisitions, and Environmental Review: provide a list of required permits (including contact information of agencies responsible for issuing those permits), land ownership/access requirements, discussion on environmental documentation (type, required consultations etc.) required to implement the project - provide a status and completion timeline for each of these required items. Also, provide a discussion of any implications with respect to conflict between water users, water rights disputes, and/or water rights issues; a discussion of whether the applicant and/or cooperating entities is in violation of any water right permit requirements including reporting or payment of fees.
- f) Plans and Specifications: the current status and completion timeline of the plans and specifications and, if available, a copy of the current plan set or concept engineer's drawings as **Attachment 5**; and
- g) Monitoring: a discussion on the type (i.e. flow, water quality, groundwater, etc) of data collection and monitoring that is proposed for the project, including, how the data will be managed, whether a Monitoring Plan and QAPP are required, whether data will be submitted to CEDEN and/or GAMA, parameters and frequency/duration of monitoring activities, whether the Proposal leverages existing monitoring efforts and how the monitoring efforts are consistent with any applicable permits and regulatory plans.
- h) Education and Outreach: a description of the type of education and community outreach proposed for the project.
- i) Existing Data and Studies: a technical summary (**Attachment 6**) identifying and describing any research or studies completed to develop the proposed project (i.e. site and bmp selection, geotechnical information, etc.) and assess the project's ability to produce the benefits claimed.
- j) ASBS or Clean Beaches Program (if applicable): for those applicants who believe their project is eligible for the ASBS or Clean Beaches Initiative Program funds, please explain how the project is eligible.

3. MULTIPLE BENEFITS

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	<p>Please select two to three benefits (as listed in Section III, G Storm Water Management Benefits) that the proposed project will address. Choose one primary benefit (the main benefit the project will accomplish) and one or two secondary benefits. Any of the benefits listed in the Guidelines may be selected as either primary or secondary benefits. Provide a quantified estimate of the primary benefit and each quantifiable secondary benefit expected, with sufficient detail and backup documentation to support the estimate. Attach a table that explains the annual quantifiable benefit(s) over the useful life of the project and a cost effectiveness table for each benefit claimed (Attachment 7). Provide a narrative description of any non-quantifiable benefit claimed.</p>
4.	<p>BUDGET</p>
	<p>Provide a summary budget table (Attachment 8) that includes the budget for all of the major line item work tasks (i.e. Administration, Planning/Design, Construction, Monitoring/Performance, Education/Outreach). Include a written narrative (two page maximum) that describes how the cost estimates were determined and a list of deliverables/reporting expected to be completed for each line item task. Describe the status, amount, and source of all other funding (i.e. including local funds or other grants/loans) that will be used to complete the project. If match funds have not been secured, provide a timeline for securing the match and discuss the level of certainty that the funds will be secured within this timeframe. Discuss whether the applicant will be requesting a match reduction. If a request for a match reduction is expected, provide the applicable Group Number from Table 2 (Section III, D) and submit justification as part of Attachment 10 (see Item 6 below).</p>
5.	<p>SCHEDULE</p>
	<p>Provide a reasonable and achievable schedule (Gantt Chart) as Attachment 9 that documents the steps needed to implement the project. The schedule should include the start and end dates, completion dates for major milestones (i.e. CEQA, Feasibility Studies, Permits, Design, Land Acquisition or Access, Bidding, Construction, Monitoring, Education/Outreach etc.). If this project is part of a phased project include a similar schedule for each phase.</p>
6.	<p>DAC/EDA</p>
	<p>Is the applicant a DAC/EDA or is a DAC/EDA directly involved in the planning of the proposed project? Does the project benefit a DAC/EDA? To obtain points for benefiting a DAC/EDA, please provide Attachment 10 discussing, at a minimum, the requested information from Appendix A.</p>
7.	<p>STAKEHOLDER AND PARTNER COORDINATION</p>
a.	<p>Discuss any coordination/outreach the applicant has engaged in with internal staff, regulatory agencies, local municipalities, funding partners, landowners, and the local community regarding the overall implementation and operation and maintenance of the project.</p>
b.	<p>Will any portion of the proposed project be constructed, owned and/or operated and maintained by any another entity? If yes, identify each entity and their roles and responsibilities.</p>
c.	<p>Identify and provide all necessary or relevant agreements, approvals, MOUs, and letters of support or opposition pertaining to the project in Attachment 11. If not yet available, provide the current status and the anticipated timeline for completion.</p>

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APPLICATION ATTACHMENTS

Provide the attachments listed below by attaching files, no larger than 25 megabytes, to the FFAST application. For instructions on attaching files, please refer to the FFAST User Manual (https://faast.waterboards.ca.gov/LoginLinks/FFAST_UserManual_v3_120711.pdf). When attaching files, applicants must use the naming convention noted in FFAST.

Attachment #	Title	Description
Attachment 1	Storm Water Resource Plan/ ASBS Compliance Plan	Provide a completed self-certification checklist found in the Storm Water Resource Plan Guidelines. If a Plan(s) is not completed, attach a status update, schedule, and steps needed to complete the Plan(s). Provide contact information for entity(ies) responsible for developing the Storm Water Resource Plan. If a Storm Water Resource Plan is not required (eligible DAC), provide the documentation supporting the exemption from the requirement and documentation that the project is included in the local IRWMP. If the project is listed in an ASBS Compliance Plan, provide proof of plan submittal to the State Water Board's Division of Water Quality.
Attachment 2	Project Map	Maps(s) depicting the project location, storm water capture area, size of area to be treated, proposed BMP locations, utilities relevant to the implementation of the project, water bodies, and identification of any Areas of Special Biological Significance, nearby beaches, and the applicant's jurisdictional boundary, and the service area boundary of the local storm water management agency.
Attachment 3	Project Description	A detailed description of the project addressing all of the elements from Item 10 above. The attachment must be no more than ten (10) pages (excluding diagrams, pictures). Note: Individual pages exceeding the page limit <u>will NOT be</u> reviewed.
Attachment 4	Process Flow Schematic	A one (1) page diagram indicating how the project will manage storm water and/or dry weather runoff including, but not limited to, the following: drainage/catchment area, conveyance system elements (i.e. diversions, pipelines, pump stations), Storm Water BMPs, etc. The diagram should also include preliminary sizing criteria for the various elements (i.e. length of pipe, flow rates, storage capacity, areas etc.) Note: Individual pages exceeding the page limit <u>will NOT be</u> reviewed.
Attachment 5	Plans and Specifications	If available, a copy of preliminary design plans and specifications for the project. As available, additional relevant technical information may be provided, such as geotechnical reports.

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Attachment 6	Technical Report Summary	Provide a summary of the technical report(s) that can be used to verify that appropriate background data was gathered, and studies were performed in the development of the proposed project, selection of BMPs, and to assess the proposed project's ability to produce the benefits claimed.
Attachment 7	Benefit Quantities and Cost Benefit Analysis	Applicants are required to submit a table depicting the annual quantifiable benefit over the life of the project and a cost effectiveness table for each benefit claimed. An example of the tables can be found on the SWGP website. Furthermore, applicants must provide detailed technical information enabling a reviewer to understand and verify the benefits claimed.
Attachment 8	Budget	The budget template (Excel) and a document (two (2) pages maximum) addressing the requested information in Item C.4. Note: Individual pages exceeding the page limit will NOT be reviewed.
Attachment 9	Schedule	Provide a schedule (Gantt Chart) for implementation of the project (and other phases, if applicable) showing the sequence and timing of the proposed work items. The schedule should show the start and end dates and milestones.
Attachment 10	Request for Match Reduction	Applicants requesting a reduced funding match must demonstrate eligibility. See Appendix A for more information. For assistance regarding requesting a match reduction, please contact the Storm Water Grant Program Manager, Mr. Daman Badyal, at (916) 319-9436.
Attachment 11	Agreement/ MOU/ Letters of Support/ Opposition	Include all agreements, MOUs, and/or support/opposition letters that pertain to the project. Note: General letters of support or opposition will not be considered. Letters of support or opposition must clearly state how implementation of the project will benefit or adversely impact the individual or entity providing the letter. All letters should be attached to the Proposal in FFAST, and may be addressed to the Applicant. Letters mailed into the State Water Board's offices or e-mailed to State Water Board staff or Board Members <u>will not be reviewed by the grant reviewers.</u>

F. Appendix B-2: Project Proposal Evaluation Criteria

PROPOSITION 1 STORM WATER GRANT PROGRAM		
PROJECT PROPOSAL EVALUATION: ELIGIBILITY REVIEW		
ELIGIBILITY CRITERIA	YES /NO	KEY
1. Is the applicant an eligible entity?		Applicant must receive a “Yes” for the Proposal to be evaluated.
2. A “yes” answer must be provided to one of the following: <ul style="list-style-type: none"> a. Did the applicant include a copy of the Storm Water Resource Plan, or equivalent, which includes the project and addresses the requirements of the Water Code and (if applicable) the Storm Water Resource Plan Guidelines? Did the applicant also provide a completed Storm Water Resource Plan Self-Certification Checklist? If not, did the applicant provide a status update of the Plan(s), next steps, and schedule for completion? b. If the applicant’s project is exempt from the Storm Water Resource Plan requirements, did the applicant provide documentation showing the project is included and implemented in an adopted IRWMP? c. If the project qualifies for ASBS funds, did the applicant provide evidence that the project is in an ASBS Compliance Plan? 		
3. Is the applicant an Urban Water Supplier, Agricultural Water Supplier, or a local groundwater user? If yes, have they submitted the required documentation to DWR?		
4. Is the project consistent with the Basin Plan, including TMDL requirements, any applicable NPDES permits and WDRs, and any applicable ASBS compliance plan?		
5. Is the project consistent with the eligible project types listed in the Guidelines?		
6. Is the proposed project a multi-benefit project that contains a minimum of two benefits listed in Part III, Section G – Storm Water Management Benefits?		
7. Do the start and end dates of the project implementation fall within those listed in the Guidelines?		

8. Has the applicant provided all information and attachments applicable to the project?		
9. Has the applicant checked the box and initialed that the Project Director has read, understands and agrees to the General Terms and Conditions of the Grant Agreement? (All applicants are required to check the box and initial next to the statement for their application to be reviewed. All applications missing the Certification will be deemed incomplete and ineligible.)		
10. Indicate whether the application should be assigned for review and scoring based on the answers to questions above.		<p>Yes = Proposal will be scored.</p> <p>No = Proposal will not be scored.</p>

SCORED CRITERIA	SCORE	TOTAL POINTS
BACKGROUND – (15 Points Possible)		
11. Does the background: <ul style="list-style-type: none"> a. Identify and describe the watershed boundaries and the groundwater basin? b. Describe the land use(s), water quality of storm water and dry weather runoff, and water supply issues present? c. Describe known sources of the pollutants in the storm water and dry weather runoff? and d. Describe local groundwater conditions (water quality and water supply), and impaired water bodies tributary to the project location and their beneficial uses? 	0-2 (Each)	8
12. Does the applicant correctly identify the NPDES permits and WDRs and the TMDL or ASBS requirements applicable to the watershed?	0-2	2

<p>13. Does the Map clearly identify:</p> <ul style="list-style-type: none"> a. Project location? Project drainage area? b. Major streets, landmarks, and utilities? c. Proposed BMP type and location(s)? d. If applicable, water bodies (including ASBS and/or nearby beaches)? e. If applicable, service area boundary of the local Storm Water Management Agency? f. If applicable, DAC/EDA communities? g. If applicable, project construction and benefit areas? 	0-5	5
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PROJECT DESCRIPTION – (55 Points Possible)		
<p>14. Does the project description:</p> <ul style="list-style-type: none"> a. Describe how the proposed project is an eligible project type that complies with the goals and objectives of the funding program and any applicable regulatory requirements, to protect and improve water quality, help with adaptation to climate change, provide incentives for water agencies for collaboration on water management resources, setting regional priorities, improve regional water self-reliance, and provide multi-benefits? b. Provide a description of the drainage/catchment area (i.e. land use, imperviousness) and quantifies the amount of storm water and/or dry weather runoff that will be captured, treated, infiltrated or used by the project and clearly describes all of the other benefits of the project? c. Describe each type of BMP that will be implemented within the project and a discussion on why the specific BMP is technically appropriate in achieving the project's goals and objectives? d. Include a narrative on the functionality of the project in managing runoff supported by a process flow schematic with estimated sizing criteria for each of the proposed BMPs? e. Explain whether the project is a phase of a larger project or a stand-alone project and describe the timing for the project? f. Include a list of all required permits (and contact information for agencies responsible for permit issuance), landownership/access requirements, and the status and timeline for each? g. Discuss what type of environmental documentation will be necessary for project implementation, other agencies that the applicant must coordinate with (i.e. USFWS, Tribes), and the current status of the documentation. 	0-5 (Each)	55

<ul style="list-style-type: none"> h. Describe any water rights issues and impacts of the project and whether the applicant or any cooperating entity is in violation of any water rights permit requirements? i. Provide the current status and timeline for completion of the design plans and specifications? If design plans were submitted, are they consistent with the rest of the Proposal documentation? j. Provide a discussion on the proposed data collection and monitoring activities, and how the data will be managed/reported to satisfy the grant requirements? Are the proposed monitoring activities appropriate and reasonable for this type of project and are they proposed for the useful life of the project? k. A description of the education and community outreach that is planned for the project? 		
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MULTIPLE BENEFITS – (35 Points Possible)

15. Does the applicant provide quantification of **one primary benefit** from the list below? Was documentation supporting the claimed benefit provided in Attachment 7? Preference will be given to primary benefits for water quality or water supply. Points will be awarded based on the geographic scale, and quantification of the benefit relative to other Proposals (e.g., acre-feet infiltrated, gallons of storm water reused, pounds of pollutant reduced).

- a. Increased water supply reliability
- b. Conjunctive use
- c. Increased water conservation
- d. Increased filtration and/or treatment of runoff
- e. Nonpoint source pollution control
- f. Reestablished natural water drainage and treatment
- g. Decreased flood risk by reducing runoff rate and/or volume
- h. Reduced sanitary sewer overflows
- i. Environmental and habitat protection and improvement
- j. Increased urban green space
- k. Improved air quality
- l. Reduced energy use, greenhouse gas emissions, or provides a carbon sink
- m. Reestablishment of the natural hydrograph
- n. Water temperature improvements
- o. Improved public health
- p. Employment opportunities provided
- q. Public education
- r. Community involvement
- s. Enhance and/or create recreational and public use areas

0-10

10

<p>16. Does the applicant provide one or two secondary benefits from the list below? Was documentation supporting the claimed benefit provided in Attachment 7? Where feasible to estimate, benefits must be quantified. Points will be awarded based on the geographic scale of the benefits, and quantification of the benefits relative to other Proposals (e.g., acre-feet infiltrated, gallons of storm water reused, pounds of pollutant reduced).</p> <ul style="list-style-type: none"> a. Increased water supply reliability b. Conjunctive use c. Increased water conservation d. Increased filtration and/or treatment of runoff e. Nonpoint source pollution control f. Reestablished natural water drainage and treatment g. Decreased flood risk by reducing runoff rate and/or volume h. Reduced sanitary sewer overflows i. Environmental and habitat protection and improvement j. Increased urban green space k. Improved air quality l. Reduced energy use, greenhouse gas emissions, or provides a carbon sink m. Reestablishment of the natural hydrograph n. Water temperature improvements o. Improved public health p. Employment opportunities provided q. Public education r. Community involvement s. Enhance and/or create recreational and public use areas 	<p>0-5 (Each)</p>	<p>10</p>
<p>17. Does the project:</p> <ul style="list-style-type: none"> a. Achieve nature-based benefits, e.g. greenhouse gas reduction, green space improvement, or habitat restoration; b. Provide multiple uses of captured water (e.g. both irrigation and infiltration); c. Propose to use the captured storm water at multiple locations (e.g., park, school, medians); 	<p>0-5 (Each)</p>	<p>15</p>

BUDGET – (30 Points Possible)

<p>18. The Budget Narrative:</p> <ul style="list-style-type: none"> a. Clearly explains how costs were determined and provides a list of deliverables/reports expected to be completed for each line item task? b. Lists other funding sources (including match) and amounts necessary for project implementation? c. For each funding source provides the current status and timeline for securing the funds? d. If applicable, identifies the applicable Group Number from Table 2 (Section III, D) for match reduction? 	<p align="center">0-2 (Each)</p>	<p align="center">8</p>
<p>19. Is the timeline for securing the other funding (including match) reasonable?</p> <ul style="list-style-type: none"> a. 0-6 Months [5 Points]; or b. 7-12 Months [2 Points]; or c. 13 Months or more [0 Points] after the anticipated award date in Section III.E (Table 3)? 	<p align="center">0-5</p>	<p align="center">5</p>
<p>20. The budget summary provides costs for the major categories including Administration, Planning/Design, Construction, Monitoring/Performance, and Education/Outreach?</p>	<p align="center">0-2</p>	<p align="center">2</p>
<p>21. From the cost-benefit table in Attachment 8:</p> <ul style="list-style-type: none"> a. Are capital costs and O&M costs provided for each contributing storm water management BMP proposed by the project? Are the costs shown consistent with the budget provided? b. Are the benefits quantified for each storm water management BMP and are they consistent with the rest of the Proposal? c. Is the unit cost-benefit (i.e. \$/AF) reasonable in comparison with other similar projects? 	<p align="center">0-5 (Each)</p>	<p align="center">15</p>

SCHEDULE – (25 Points Possible)		
22. Does the schedule provide start and end dates for major milestones (i.e. CEQA, Feasibility Studies, Permits, Design, Bidding, Construction, Monitoring, Education/Outreach etc.) and are the milestones shown appropriate for the proposed project and, if applicable, for the other phases?	0-4	4
23. Is the time allotted to complete the various tasks appropriate and is it consistent with the information provided in the project description?	0-2	2
24. Are potential causes for schedule delays identified in the project description and adequately mitigated?	0-2	2
25. Does the schedule coincide with the program timeline from Section III.E (Table 3)?	0-2	2
26. Does the schedule propose to secure all permits in: a. 0-3 Months [5 Points]; or b. 4-6 Months [2 Points]; or c. 7 Months or more [0 Points] of the anticipated award date in Section III.E (Table 3)? If the time allotted to complete tasks does not appear appropriate and consistent with the information provided in the project description then points may not be awarded.	0-5	5
27. Does the schedule propose to complete environmental documentation in: a. 0-3 Months [5 Points]; or b. 4-6 Months [2 Points]; or c. 7 Months or more [0 Points] of the anticipated award date in Section III.E (Table 3)? If the time allotted to complete tasks does not appear appropriate and consistent with the information provided in the project description then points may not be awarded.	0-5	5

<p>28. Does the schedule propose to complete final design plans and specifications in:</p> <ul style="list-style-type: none"> a. 0-3 Months [5 Points]; or b. 4-6 Months [2 Points]; or c. 7 Months or more [0 Points] of the anticipated award date in Section III.E (Table 3)? <p>If the time allotted to complete tasks does not appear appropriate and consistent with the information provided in the project description then points may not be awarded.</p>	0-5	5
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DAC/EDA – (20 Points Possible)		
<p>29. If applicable, did the applicant provide all of the information requested in Appendix A and is it sufficient to make a determination on any requested match reduction? (0-5 Points)</p> <ul style="list-style-type: none"> a. Is the applicant a DAC or EDA? (5 Points); <p>Only <u>one</u> of the following will be scored:</p> <ul style="list-style-type: none"> a. Does 100% of the project benefit a DAC/EDA, or a severe DAC/EDA with a population of less than 20,000? (10 Points); or b. Does some portion (greater than 50%) of the project benefit a DAC/EDA or a severe DAC/EDA with a population of less than 20,000? (5 Points) <p>(Scoring on this criteria will be determined by DFA’s lead reviewer)</p>	0-20	20

STAKEHOLDER AND PARTNER COORDINATION – (20 Points Possible)		
30. The applicant has demonstrated reasonable coordination/outreach with the local community and cooperating entities regarding the proposed project?	0-5	5
31. The Proposal demonstrates a strong support for the project from: a. the local community; DAC/EDA communities (if applicable)? b. local municipalities, stakeholder agencies, landowners? and c. regulatory agencies?	0-5 (Each)	15
OVERALL TOTAL POINTS:		200

OVERALL REVIEW COMMENTS
Does the reviewer believe that the proposed project is technically and financially feasible? Does the reviewer have any concerns about funding the project? Does the reviewer recommend the project for funding? (Note to Reviewers: This text will be provided to the applicant. Be clear and concise.)

Appendix C: Required Supplemental Documentation

DFA staff may make clarifying or editorial changes to the documents outlined in Appendix C following adoption of these Guidelines depending on the final preparation of the review questionnaire for the FFAST system. Appendix C is a tool to guide applicants on the types of information that will be required; however, please refer to FFAST upon opening of the solicitation for the final list of questions and required attachments.

APPENDIX C: REQUIRED SUPPLEMENTAL DOCUMENTATION

APPLICATION ATTACHMENTS

Provide the attachments listed below by attaching files, no larger than 25 megabytes, to the FAAST application. When attaching files, applicants must use the naming convention noted in the Solicitation Notice. **Final and complete documents must be submitted within 60 days after funding award. Delays in the submittal of these documents may jeopardize the funding award.**

Attachment #	Title	Description
Supplemental Project Documentation		
Attachment 12	Groundwater Management Plan Compliance Certification	Complete and submit the self-certification form for Groundwater Management Plan Compliance pursuant to Section V.K.III (page 12) of the Guidelines.
Attachment 13	Water Metering Compliance Certification	Complete and submit the self-certification form for Water Metering Compliance pursuant to Section V.K.V (page 12) of the Guidelines.
Attachment 14	Resumes/Qualifications	Provide resumes for each person on the technical advisory and planning team. Also include a description of (1) how the applicant demonstrates the experience, knowledge, and skills necessary to successfully complete the project, and (2) steps that the applicant will take to solicit and select a qualified contractor with experience in the construction of storm water management systems.
Attachment 15	Detailed Budget	Complete and provide the detailed budget(s) template (Excel), and a Word document that includes (1) a detailed explanation of any lump sums or other opaque estimates, (2) a discussion on the project capital and O&M costs, how the project's O&M costs compare to current industry standards, and the expected useful life of the project, and (3) description of financing and steps that the applicant will take to continue the O&M for the useful life of the project. Guidance on how to write a budget is located on the SWGP website.
Attachment 16	Environmental Clearance Checklist & CEQA Documentation	If completed, attach final CEQA documents. For guidance on the environmental clearance, please see our website at: http://www.waterboards.ca.gov/water_issues/programs/grants_loans/grant_info/index.shtml#ceqa
Attachment 17	Performance Measures	Applicants are required to submit a PAEP table specific to their proposed project. For an example and template of the PAEP table, please see the SWGP website.
Attachment 18	Project Self-Certification	Complete and provide the self-certification form certifying that the applicant has not deviated from the project description, benefits, financing and schedule, in the Proposal Application.

APPENDIX C: REQUIRED SUPPLEMENTAL DOCUMENTATION

Attachment 19	Agreement Scope of Work	Using the agreement template provided, complete the draft scope of work (Exhibit A) for the project.
Supplemental Program Documentation		
Attachment 20	Authorizing Resolution	A resolution from the governing board is required prior to grant agreement execution. The sample board resolution found at http://www.waterboards.ca.gov/water_issues/programs/grants_loans/grant_info/docs/sampleresolution.pdf contains the minimum amount of information that must be included in a board resolution. The adopted resolution must be submitted shortly after the funding award and prior to the applicant signing the final agreement. Significant delays in the submittal of the resolution may jeopardize the funding award.
Attachment 21	Project Director Certification	This form designates a person (Project Director) to represent the applicant during development of the grant agreement and make decisions on its behalf.
Attachment 22	Other Administrative Documents	In addition to the above-mentioned attachments, the applicants will be required to submit various other forms and/or documents which will be utilized to expedite grant agreement execution process if the project is awarded funding. This may include but is not limited to: IRS Nonprofit Status Letter, Drug-Free Workplace Form, Payee Data Record Form, Self-Certifications.

Appendix D: Definitions

Ag Water Supplier – an agricultural water supplier with greater than 25,000 irrigated acres (Water Code section 10608, Division 6, Part 2.55).

Applicant – an entity that files an application for SWGP funding.

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 proposal, which may be comprised of responses to the questions included in the on-line application system, as well as attachments.

Basin Plan – also referred to as a Water Quality Control Plan, identifies: 1) beneficial uses to be protected; 2) water quality objectives for the reasonable protection of beneficial uses; and 3) a program of implementation for achieving the water quality objectives as established by the Regional Water Boards or State Water Board.

Beneficial Uses - the uses of streams, lakes, rivers, and other water bodies, have to humans and other life. Beneficial uses are outlined in a Basin Plan. Each body of water in the State has a set of beneficial uses. Different beneficial uses require different water quality control(s). Therefore, each beneficial use has a set of water quality objectives designed to protect that beneficial use. Below is a list of some of the beneficial uses.

Beneficial uses may include: domestic (homes, human consumption, etc.), irrigation (crops, lawns), power (hydroelectric), municipal (water supply of a city or town), mining (hydraulic conveyance, drilling), industrial (commerce, trade, industry), fish and wildlife preservation, aquaculture (raising fish, etc. for commercial purposes), recreational (boating, swimming), stock watering (for commercial livestock), water quality, frost protection (misting or spraying crops to prevent frost damage), heat control (water crops to prevent heat damage), groundwater recharge, and agriculture.

Best Management Practices (BMPs) – refers to those listed in the California Stormwater Quality Association's (CASQAs) BMP Handbooks: Industrial & Commercial BMP Handbook, Municipal BMP Handbook, New Development & Redevelopment BMP Handbook, and BMP Handbook Training. The BMP Handbooks can be found on CASQAs website: <https://www.casqa.org/resources/bmp-handbooks>. Additional information on the definition of storm water BMP can be obtained on the International Stormwater BMP Database website at: <http://www.bmpdatabase.org/>.

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

Census Designated Place – a census geography used by the USCB that is a statistical entity, defined for each decennial census according to USCB 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 USCB, following USCB guidelines.

Census Tract – a census geography used by the USCB that is a small, relatively permanent statistical subdivision of a county delineated by a local committee of census data users for the purpose of presenting data. Census tract boundaries normally follow visible features, but may follow governmental unit boundaries and other non-visible features in some instances; they always nest within counties. Census tracts are designed to be relatively homogeneous units with respect to population characteristics, economic status, and living conditions at the time of establishment. Census tracts average about 4,000 inhabitants.

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

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

Economically Distressed Area (EDA) – areas with a population of 20,000 persons or less, a rural county, or a reasonably isolated and divisible segment of a larger community where the segment of the population is 20,000 persons or less, with an annual median household income that is less than eighty-five percent (85%) of the statewide MHI, and with one or more of the following conditions as determined by the Division: 1) financial hardship, 2) unemployment rate at least two percent (2%) higher than the statewide average, and 3) low population density (Water Code section 79702[k]).

Evaluation Criteria – the set of specifications used to select or choose a project based on available funding.

Fiscal Year (FY) – a 12-month period in which an organization plans to use its funds. The fiscal year for the State Water Board begins on July 1 and ends on June 30.

Funding Match – funds made available by the applicant including, but not limited to, Federal funds (grants or loans), local and private funding, or donated and volunteer (“in-kind”) services. Repayable financing received through the Clean Water or Drinking Water State Revolving Fund Program or a Federally sponsored loan program may be used for match. Additionally, education and outreach may qualify as a portion of the funding match only if directly linked to construction. Regardless of the source, state funds cannot be used for the **required** match.

Grantee – refers to a grant recipient.

Granting Agency – the agency that is funding a proposal and with which a grantee has a grant agreement. nThe State Water Board will be the granting agency for the Proposition 1 Storm Water Grant Program.

Green Infrastructure – refers to systems and practices that use or mimic natural processes to infiltrate, evapotranspire (the return of water to the atmosphere either through evaporation or transpiration), or reuse stormwater (e.g., green roofs, tree boxes, rain gardens, vegetated swales, pocket wetlands, infiltration planters, permeable pavements, riparian buffers, and floodplains); can also include decentralized harvesting approaches, such as the use of cisterns to capture water for flushing toilets or subsequent outdoor irrigation.

Impaired Water Body – surface waters identified by the Regional Water Quality Control 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 Resources Control Board pursuant to section 303(d) of the Clean Water Act (CWA).

Lead Agency – public agency (usually the applicant) that is responsible for preparation and circulation of environmental documents before project approval.

Low Impact Development (LID) – for the purposes of this funding program, LID is a storm water management strategy aimed at maintaining or restoring the natural hydrologic functions of a site or project to achieve natural resource protection objectives and fulfill environmental regulatory requirements; LID employs a variety of natural and built features that reduce the rate of runoff, filter pollutants out of runoff, and facilitate the infiltration of water into the ground and/or on-site storage of water for reuse.

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

Median Household Income (MHI) - commonly used to provide data about geographic areas. It divides households into two equal segments, with the first half of households earning less than the MHI, and the other half earning more.

Nonpoint Sources (NPS) Pollution – water pollution that does not originate from a discrete point, such as a sewage treatment plant outlet. NPS 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, and mining. 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 ground water via precipitation, runoff, and leaching. From a regulatory perspective, pollutant discharges that are regulated under the National Pollutant Discharge Elimination System Permit (NPDES) are considered to be point sources. By definition, all other discharges are considered NPS pollution.

National Pollutant Discharge Elimination System (NPDES) Permit Program– controls water pollution by regulating point sources that discharge pollutants into waters of the United States. Point sources are discrete conveyances such as pipes or man-made ditches. Since its introduction in 1972, the NPDES Permit Program has been responsible for significant improvements to our Nation's and State's water quality.

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

Pollutant Load Reduction – the decrease of a particular contaminant in the impaired waterbody resulting from the implementation of the project.

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

Project Area - refers to the geographical boundaries, as defined by the applicant, which encompass the area where the project will be implemented / constructed, including the area where the benefits and impacts of project implementation or planning activities extend.

Project Director – The Project Director is responsible for adhering to the terms of the grant agreement, keeping the project on track, submitting deliverables in a timely manner, and overall management of the administrative and technical aspects of the grant agreement. The Project Director must be an employee of the Grantee. Persons that are subcontractors to be paid by the grant cannot be listed as the Project Director.

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

Public Agency – state agency or department, special district, joint powers authority, city, county, city and county, or other political subdivision of the state (Water Code section 79702[s]).

Public Works – construction, alteration, demolition, installation, or repair work done under contract and paid for in whole or in part out of public funds, except work done directly by any public utility company pursuant to order of the Public Utilities Commission or other public authority (CLC section 1720).

Restore – to improve physical structures or facilities (Public Resources Code section 75005).

Small Disadvantaged Community – a community with a population of 20,000 persons or less with a median household income (MHI) less than 80% (80 percent) of the statewide MHI (Water Code section 79505.5[a]).

Small and Severely Disadvantaged Community – a community with a population of 20,000 persons or less with a median household income (MHI) less than 60% (sixty percent) of the statewide MHI (Water Code section 79505.5[a]).

Stakeholder – an individual, group, coalition, agency, or other entity that is involved in, affected by, or has an interest in the implementation of a specific program or project.

Storm Water – please refer to the State Water Board’s Storm Water Resource Plan Guidelines for the definition.

Storm Water and Dry Weather Runoff Capture – please refer to the State Water Board’s Storm Water Resource Plan Guidelines for the definition.

Storm Water Treatment Facility - a BMP approach to managing the quantity and quality of storm water runoff and includes prevention and source control practices.

Sustainable - resources must only be used at a rate at which they can be replenished naturally.

Total Maximum Daily Load (TMDL) – a written plan that describes how an impaired water body will meet water quality standards. It contains: (1) a measurable feature to describe attainment of the water quality standard(s); (2) a description of required actions to remove the impairment; and, (3) an allocation of responsibility among dischargers to act, either in the form of actions or through the establishment of water quality conditions for which each discharger is responsible. An established TMDL is one that has been adopted by both the applicable Regional Water Board and the State Water Board, has been approved by the Office of Administrative Law and paid the appropriate fees to the Department of Fish and Game. Additionally, TMDLs developed by and subsequently adopted by the U.S. EPA shall be considered established for purposes of the SWGP.

Urban Water Supplier – a supplier, either publicly or privately owned, that provides water for municipal purposes either directly or indirectly to more than 3,000 customers or supplies more than

3,000 acre-feet of water annually (Water Code section 10617).

Waste Discharge Requirements (WDRs) – requirements that are adopted by the Regional Water Boards to protect the waters of the state for the use and enjoyment of the people of California.

Water Quality Objectives – the limits or levels of water quality elements or biological characteristics established to reasonably protect the beneficial uses of water or the prevent problems within a specific area. Water quality objectives may be numeric or narrative.

Water Quality Standards - State-adopted and U.S. EPA-approved ambient standards for water bodies that prescribe the use of the water body and establish the water quality criteria that must be met to protect these uses. The three components of water quality standards include the beneficial designated use or uses of a water body (for example, drinking water supply, contact recreation (swimming), and aquatic life support), the numerical and narrative water-quality criteria that are necessary to protect the use or uses of that particular water body, and an antidegradation statement (from federal CWA).

REPORT

DATE: September 10, 2019

TO: Water Committee/Water TAC

FROM: Marisa Creter, Executive Director

RE: **MEETING WITH REP. NAPOLITANO REGARDING WATER QUALITY PROGRAMS AND PROPOSALS**


RECOMMENDED ACTION

For information only.


BACKGROUND

Members of the Water Committee and guests met with U.S. Rep. Grace Napolitano at the SGVCOG Irwindale offices on September 3, 2019 to discuss the Water Quality and Job Protection Act of 2019 (H.R. 1497). Coauthored by Rep. Napolitano, the Act would authorize more than \$20 billion over five years for the construction, repair, and replacement of wastewater and stormwater conveyance and treatment facilities. Funding would be distributed through the existing Clean Water State Revolving Fund and other grant programs to assist states and localities in complying with the federal Clean Water Act. This would include a \$600 million pilot program to address wet weather discharge and an additional \$900 million for community grants to maintain and update combined stormwater and wastewater management infrastructure. The bill will be heard in the House Water Resources and Environment Subcommittee chaired by Rep. Napolitano on September 18, 2019. The bill fact sheet and text are attached. SGVCOG provided a letter of support for the legislation on June 12, 2019.

SGVCOG staff also presented an update on the Rio Hondo Stormwater Load Reduction Strategy which is in the design and evaluation phase. The strategy involves storm channel improvements to remotely divert contaminated dry weather flows to sanitary sewer treatment plants.

Prepared by: 

Navneet Kaur
Management Analyst

Approved by: 

Marisa Creter
Executive Director

Attachment A: HR 1497 Fact Sheet & Text

116TH CONGRESS
1ST SESSION

H. R. 1497

To amend the Federal Water Pollution Control Act to reauthorize certain water pollution control programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2019

Mr. DEFAZIO (for himself, Mrs. NAPOLITANO, Mr. YOUNG, and Mr. KATKO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Federal Water Pollution Control Act to reauthorize certain water pollution control programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Water Quality Protec-
5 tion and Job Creation Act of 2019”.

6 **SEC. 2. STATE MANAGEMENT ASSISTANCE.**

7 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
8 106(a) of the Federal Water Pollution Control Act (33
9 U.S.C. 1256(a)) is amended—

1 (1) by striking “and” at the end of paragraph
2 (1);

3 (2) by striking the semicolon at the end of
4 paragraph (2) and inserting “; and”; and

5 (3) by inserting after paragraph (2) the fol-
6 lowing:

7 “(3) such sums as may be necessary for each
8 of fiscal years 1991 through 2019, and
9 \$300,000,000 for each of fiscal years 2020 through
10 2024;”.

11 (b) TECHNICAL AMENDMENT.—Section 106(e) of the
12 Federal Water Pollution Control Act (33 U.S.C. 1256(e))
13 is amended by striking “Beginning in fiscal year 1974
14 the” and inserting “The”.

15 **SEC. 3. WATERSHED PILOT PROJECTS.**

16 Section 122(c) of the Federal Water Pollution Con-
17 trol Act (33 U.S.C. 1274(c)) is amended to read as fol-
18 lows:

19 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
20 is authorized to be appropriated to carry out this section
21 \$120,000,000 for each of fiscal years 2020 through
22 2024.”.

1 **SEC. 4. PILOT PROGRAM FOR ALTERNATIVE WATER**
2 **SOURCE PROJECTS.**

3 (a) **SELECTION OF PROJECTS.**—Section 220(d) of
4 the Federal Water Pollution Control Act (33 U.S.C.
5 1300(d)) is amended by striking paragraph (2) and redesi-
6 gnating paragraph (3) as paragraph (2).

7 (b) **COMMITTEE RESOLUTION PROCEDURE.**—Section
8 220 of the Federal Water Pollution Control Act (33
9 U.S.C. 1300) is amended by striking subsection (e) and
10 redesignating subsections (f) through (j) as subsections (e)
11 through (i), respectively.

12 (c) **DEFINITIONS.**—Section 220(h)(1) of the Federal
13 Water Pollution Control Act (as redesignated by sub-
14 section (b) of this section) is amended by striking “or
15 wastewater or by treating wastewater” and inserting “,
16 wastewater, or stormwater or by treating wastewater or
17 stormwater”.

18 (d) **AUTHORIZATION OF APPROPRIATIONS.**—Section
19 220(i) of the Federal Water Pollution Control Act (as re-
20 designated by subsection (b) of this section) is amended
21 by striking “a total of \$75,000,000 for fiscal years 2002
22 through 2004” and inserting “\$75,000,000 for each of fis-
23 cal years 2020 through 2024”.

1 **SEC. 5. SEWER OVERFLOW AND STORMWATER REUSE MU-**
2 **NICIPAL GRANTS.**

3 Section 221(f)(1) of the Federal Water Pollution
4 Control Act (33 U.S.C. 1301(f)(1)) is amended by striking
5 “2020” and inserting “2024”.

6 **SEC. 6. STATE WATER POLLUTION CONTROL REVOLVING**
7 **FUNDS.**

8 Title VI of the Federal Water Pollution Control Act
9 (33 U.S.C. 1381 et seq.) is amended—

- 10 (1) by striking section 607;
11 (2) by redesignating section 608 as section 607;
12 and
13 (3) by adding at the end the following:

14 **“SEC. 608. AUTHORIZATION OF APPROPRIATIONS.**

15 “There is authorized to be appropriated to carry out
16 this title \$4,000,000,000 for each of fiscal years 2020
17 through 2024.”.

○



H.R. 1497, The Water Quality Protection and Job Creation Act of 2019

Sponsors: DeFazio, Napolitano, Young, Katko

EXECUTIVE SUMMARY

H.R. 1497, the “Water Quality Protection and Job Creation Act of 2019,” authorizes approximately **\$23.5 billion** in direct infrastructure investment over the next five years to address America’s crumbling wastewater infrastructure and local water quality challenges.

This **bipartisan bill** renews the Federal commitment to addressing local water quality challenges by providing an infusion of Federal assistance for the construction, repair, and replacement of the Nation’s network of wastewater and stormwater conveyance and treatment facilities. The *Water Quality Protection and Job Creation Act of 2019* significantly increases the amount of Federal assistance made available to States and communities through the successful Clean Water State Revolving Fund program—the primary source of Federal assistance for wastewater infrastructure construction.

THE WATER QUALITY PROTECTION AND JOB CREATION ACT OF 2019

H.R. 1497 renews the Federal commitment to addressing our Nation’s substantial needs for wastewater infrastructure by authorizing **\$20 billion over five years** in wastewater infrastructure through the Clean Water State Revolving Fund and other efforts to improve water quality.

H.R. 1497 will create thousands of new, domestic jobs in the construction and wastewater sectors through increased investment in wastewater infrastructure. It will reduce the cost of constructing and maintaining that infrastructure, promote energy efficiency and water efficiency, and reduce the potential long-term operation and maintenance costs of publicly owned treatment works.

In the 110th and 111th Congresses, the House of Representatives passed legislation similar to the *Water Quality Protection and Job Creation Act* by significant bipartisan majorities. In the 110th Congress, the House passed H.R. 720 by a recorded vote of 303-108. Similarly, in the 111th Congress, the House passed H.R. 1262 by a recorded vote of 317-101. Neither bill was considered by the Senate.

Prepared by the T&I Water Resources
Majority Staff (5-0060)

HIGHLIGHTED PROVISIONS:

- Authorizes **\$20 billion in Federal grants over five years** to capitalize Clean Water SRFs. These funds provide low-interest loans and additional loan subsidizations (e.g., principal forgiveness and negative interest loans) to communities for wastewater infrastructure.
- Authorizes an additional **\$900 million for grants to municipalities** to capture, treat, or reuse combined and sanitary sewer overflows or stormwater.
- Authorizes **\$1.5 billion over five years** for grants for State water pollution control agencies to implement State water pollution control programs.
- Provides **\$600 million over five years** for Clean Water pilot programs (including Federal technical assistance and/or grants) for watershed-based or system-wide efforts to address wet weather discharges, to promote stormwater best management practices, to undertake integrated water resource management, and to increase the resiliency of treatment works to natural or man-made disasters.
- Authorizes **\$375 million in grants over five years** for alternative water source projects under section 220 of the Clean Water Act, including projects that reuse wastewater or stormwater to augment the existing sources of water.



H.R. 1497, The Water Quality Protection and Job Creation Act of 2019

Sponsors: DeFazio, Napolitano, Young, Katko

BACKGROUND: THE CLEAN WATER STATE REVOLVING FUND

WATER NEEDS FACTS & FIGURES

\$300 BILLION. The amount of investment needed over the next 20 years according to the EPA.

5 PERCENT. The percentage the federal government now pays for water projects. The Federal government previously paid up to **75 percent** of the total costs of a project. States and local governments are left to shoulder these costs.

20,000 JOBS. According to the National Utility Contractors Association, every \$1 billion invested in our Nation's water infrastructure **creates or sustains between 20,003 to 26,669** jobs in communities across America.

D+. According to the American Society of Civil Engineers (ASCE) *2017 Infrastructure Report Card*, **America's wastewater treatment infrastructure receives a grade of D+**, which is only the slightest improvement from its previous grade of D in the 2013 ASCE Report Card.

Before adoption of the Clean Water Act, many rivers were little more than open sewers, with some so polluted that they literally caught fire. Also, because rivers and pollution do not respect local or state boundaries, Congress realized that a comprehensive national program was necessary to protect water quality. In 1972, Congress enacted the landmark Clean Water Act which fundamentally changed the way we address water pollution in this country, set strong standards, and provided substantial financial assistance to local communities to meet the water quality challenges.

For close to 80 years, Congress has provided Federal funds to municipalities to address local water quality challenges, including sewage treatment and stormwater needs. Initially, this assistance was provided as direct grants to municipalities (covering 50 to 75 percent of the total costs of the projects). However, in 1987, Congress converted the direct grant program to a Clean Water State Revolving Fund ("Clean Water SRF") authority that provides funding directly to States, which in-turn, provide below-market rate loans to communities to finance local wastewater infrastructure needs (typically required to be fully-repaid over 30 years).

Although the authorization of appropriations for the Clean Water SRF expired after 1994, Congress continues to fund this critical investment in our Nation's wastewater infrastructure—providing more than \$43 billion in Federal capitalization assistance to States since 1987. In turn, this infusion of Federal capital to State revolving funds has leveraged approximately \$120 billion in direct assistance to communities over this period. However, it is important for Congress to renew its commitment to addressing the water-related infrastructure challenges facing communities, both large and small, as well as to provide communities with additional financial tools to, affordably, address local water quality challenges.

In addition, Congress has authorized two supplemental Federal Clean Water grant programs to address combined and sanitary sewer overflows and stormwater reuse (section 221 of the Clean Water Act, which was reauthorized in the America's Water Infrastructure Act of 2018 at \$250 million annually through fiscal year 2020), and alternative sources of water, including reclaimed wastewater, in drought prone areas (section 220 of the Clean Water Act). These separate Clean Water grant programs provide other financial tools to communities facing local water quality and water availability challenges.

Currently Supported by Close to 80 Organizations, including:

- *Alliance for the Great Lakes*
- *American Concrete Pipe Association*
- *Council of Infrastructure Finance Authorities*
- *International Union of Operating Engineers*
- *National Association of Clean Water Agencies*
- *National Association of Counties*
- *National League of Cities*
- *National Utility Contractors Association*
- *National Wildlife Federation*
- *National Water Resources Association*
- *Natural Resources Defense Council*
- *Southern Environmental Law Center*
- *U.S. Conference of Mayors*
- *Water Environment Federation*
- *Western Recycled Water Coalition*