

DEPARTMENT: Public Works

By: Michael Edwards

Phone: 966-5356

RECOMMENDED ACTION AND JUSTIFICATION:

(Policy Item: Yes ___ No X)

Adopt resolution authorizing the Mariposa County Resource Conservation District to prepare a Proposition 204 Delta Tributary Watershed Program (Phase II) Grant application on behalf of Mariposa County.

The Resource Conservation District (RCD) has offered to assist the County in the preparation of the application. Jerry Progner of the RCD is working with staff in this regard. Technical assistance from the California Department of Forestry (CDF) has also been obtained. The goal is to have a watershed project that is more in compliance with the grant eligibility criteria than the County's Phase I applications that were not accepted. The application will include the following components:

1. Maxwell Creek watershed rehabilitation and primary fuel break corridor.
2. Funding for additional watershed planning within Mariposa County.

The grant application will attempt to achieve some of the following goals not included in the two prior County applications (but that were part of the prior successful application by the RCD for the Stockton Creek watershed):

- Focus on smaller more defined, local watersheds with various needs such as a sediment reduction, forest health and wild fire fuel reduction;
- Address the needs of an expanded list of watershed stakeholders with an emphasis on a grassroots program;
- Tie the project to existing, identified programs; and
- Meet other goals as described in Attachment #1

The proposed application is consistent with those goals. For example, it will address ongoing sedimentation problems from public and private roads; it will complete the funding for the Ponderosa Road Fuel Break; it will complete CDF plans for secondary fuel breaks and will tie to CDF's Cuneo Vegetative Management Plan. It will also provide funding to plan additional projects to be eligible for CALFED funding and/or other programs.

A more detailed presentation of the proposed application will be made at the Board meeting. The application deadline is August 14, 1998.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

During Phase I of this Prop 204 program, three applications were made within Mariposa County.

1. County application on the Merced River watershed, dealing primarily with degraded dirt roads on National Forest lands.
2. County application on the Miami Creek watershed, dealing primarily with degraded dirt roads on National Forest lands.
3. RCD application on the Stockton Creek watershed, dealing with overall health of the watershed with an emphasis on wildfire fuel reduction/modification at a grass roots level.

Only the third application was approved. Comments received back from the State grant review panel on the first two applications noted that not all of the grant criteria were met.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

- Do not agree to allow the RCD to submit an application on the County's behalf. No application could be made by staff due to severe time constraints.

COSTS: (X) Not Applicable

A. Budgeted current FY> \$ _____

B. Total anticipated Costs> \$ _____

C. Required additional funding> \$ _____

D. Internal transfers> \$ _____

COSTS: () 4/5th Vote Required

A. Unanticipated revenues> \$ _____

B. Reserve for contingencies> \$ _____

C. Source description: > _____

Balance in Reserve Contingencies, If Approved:
\$ _____

SPECIAL INSTRUCTIONS:

List the attachments and number the pages consecutively:

1. Specifications provided by California Environmental Protection Agency regarding application process (6 pgs)

CLERK'S USE ONLY

Res. No.: 98-309 Ord. No.: _____

Vote - Ayes: 5 Noes: _____

Absent: _____ Abstained: _____

Approved Denied

Minute Order Attached No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office

Date: _____

ATTEST: _____

MARGIE WILLIAMS, Clerk of the Board

By: _____

Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:

This item on agenda as:

- Recommended
- Not Recommended
- For Policy Determination
- Submitted With Comment
- Returned for Further Action

Comment: _____

C.A.O. Initials: [Signature]

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- e. Contracts will be executed for a maximum duration of three (3) years. **No reimbursement will be provided for work performed prior to the execution date or after the expiration date of any contract.**
- f. The Delta Program will reimburse each project sponsor (contractor) up to fifty (50) percent of the administrative costs incurred in carrying out the project (Water Code Section 78647.8).

3. ELIGIBILITY

a. Who Can Apply?

(1) Eligible applicants include (Water Code Section 78647.2):

- (a) A county, or a joint powers authority in which a county is a participant, may submit an application to the SWRCB an eligible project requesting financial or technical assistance for the purpose of developing a voluntary, incentive-based watershed rehabilitation project.
- (b) Notwithstanding subdivision (a), if a county, or a joint powers authority in which a county is a participant, after a request to do so by a local public agency, declines to submit an application for an eligible project for a watershed that is all or in part within the boundaries of the county, a local public agency other than the county or that joint powers agency may submit an application in accordance with subdivision (a).

b. What Activities Qualify?

- (1) **Eligible project means a watershed rehabilitation project undertaken on lands owned or operated by the Federal, State, or a local government, or a private person or entity within the delta tributary watershed. For the purposes of this article, "delta tributary watershed" means a watershed which drains into the Sacramento-San Joaquin Rivers Delta or the Trinity River (Water Code Section 78647.4), as defined in Figure 1.**

Eligible activities include development of watershed rehabilitation plans or other planning functions designed to resolve actual or potential water quality issues identified in Section 3.b.(2) of the RFP. Planning/design projects may include a water quality monitoring component, but such monitoring must contribute directly to the planning objective of the project. Proponents must show that a coordinated approach with relevant agencies and stakeholders will be employed.

(2) Eligible projects shall include one or more of the following purposes (Water Code Section 78647.5):

(a) A reduction in the presence of contaminants in drinking water by addressing the origins of the contaminants, including, to the maximum extent practicable, the specific activities that affect the drinking water supply of a community or communities. A project with a purpose described in this subdivision shall address contaminants, including those that are pathogenic organisms, for which a national primary drinking water regulation has been established and that are detected in the community water system for which the application is submitted at levels above the maximum contaminant level or that are detected by adequate monitoring methods at levels that are not reliably and consistently below the maximum contaminant level.

(b) An increase in yield of water available from, and water retention capabilities of, the watershed, including projects to reduce dense forest understory, restore upland meadows, and repair stream channels.

(c) The improvement, restoration, or enhancement of fisheries habitat, including riparian habitat, in and along streams and watercourses in the watershed. Projects may address factors which increase sedimentation in streams and watercourses in the watershed.

(d) The improvement of overall forest health, including the reduction of factors which may contribute to the severity of wildfires in the watershed.

c. What Activities Are Excluded?

(1) Activities related to compliance with National Pollutant Discharge Elimination System permits, waste discharge requirements, and compliance/enforcement orders issued by Regional Water Quality Control Boards (RWQCBs) or the SWRCB.

(2) Underground tank cleanup projects.

(3) Projects that are primarily research and that are not associated directly with a watershed rehabilitation project in the eligible project area.

4. SELECTION PROCESS

A. What Are The Steps In The Selection Process?

(1) Proposals will be reviewed by SWRCB program staff to confirm applicant and project eligibility. Applications may be rejected if the process specified in Section 5 of this RFP is not followed.

(2) Accepted proposals will be publicly noticed and copies will be referred to:

(a) The appropriate RWQCB (either the North Coast, San Francisco Bay, or Central Valley Region) for its review and submittal of funding recommendations to the SWRCB within 40 calendar days of receipt of the proposals, and

(b) A Delta Tributary Watershed Advisory Committee (Committee) which will be invited by the SWRCB to review and comment on the proposals. The Committee shall provide any comments to the SWRCB within 40 calendar days of receipt of the proposals. The SWRCB will invite each of the following organizations to designate one representative to serve on the committee:

- Regional Council of Rural Counties
- Sierra Nevada Alliance
- Resource Conservation and Development Association
- California Association of Resource Conservation Districts
- Sacramento River Watershed Program
- Trinity River Task Force
- (San Joaquin River Group)
- Staffs of RWQCBs 1, 2, and 5, SWRCB, and Department of Health Services will be available for consultation only

(3) The Secretary for Resources, in consultation with its Departments and associated programs (including CALFED), will provide written recommendations regarding each application to the SWRCB within 50 calendar days of receipt of the proposals from the SWRCB [Water Code Section 78647.10(a)].

(4) SWRCB will consider the recommendations from the Secretary for Resources, the Committee, the public, the RWQCBs, and the SWRCB staff in adopting the final priority list.

(5) Applicants will be notified of the SWRCB decision within fifteen (15) working days of the SWRCB action. Applicants in the fundable category will be advised that a detailed "scope of work" statement for each project is required to initiate the contract negotiation/execution process.

B. What Considerations Will Be Used In The Selection Process?

- (1) Projects that meet the statutory purposes established in Water Code Section 78647.5 of the Safe, Clean, Reliable Water Supply Act.
- (2) Projects that consider the "Principles of Watershed Restoration" and "Principles of Watershed Community Involvement" stated in Attachments 1 and 2, respectively.
- (3) Projects with demonstrated past success in the project area or other similar hydrogeomorphic areas.
- (4) Projects that demonstrate collaboration and coordination among multiple stakeholders (watershed groups, land owners/managers, and public agencies).
- (5) Projects that include long-term monitoring plans that use sound, proven scientific methodology to determine their success and effectiveness in addressing watershed problems.
- (6) Projects that address applicable recommendations provided to the SWRCB by the Nonpoint Source Program Technical Advisory Committees.
- (7) Projects that are voluntary, incentive-based watershed rehabilitation efforts.
- (8) Documentation that the project will include a monitoring/assessment plan to determine whether the project purposes are satisfied.
- (9) Project proposals that are complete and address all portions of the application instructions and format (Attachments 3 and 4).

5. PROPOSAL PREPARATION INSTRUCTIONS

Proposals must be submitted following the application instructions specified in Attachment 3 and format shown in Attachment 4. **An original and fourteen (14) legible complete copies of the application must be postmarked no later than on August 14, 1998.** Applications must be submitted to:

Jean Ladyman
Division of Water Quality
State Water Resources Control Board
P.O. Box 944213
Sacramento, CA 94244-2130
(or)
901 "P" Street
Sacramento, CA 95814

California Environmental Protection Agency

PRINCIPLES OF WATERSHED RESTORATION

The principles of watershed restoration are:

- a) Restoration must be consistent with watershed level assessment, analysis and evaluation; restoration includes protection of existing healthy conditions,
- b) Restoration should assure the preservation of existing healthy conditions by removing known threats and protecting from future threats,
- c) Restoration must include eliminating continuing causes of watershed degradation,
- d) Restoration should be staged, moving outward and downward generally from the top of the watershed, from core healthy or restored areas; exceptions are limited to work designed to link core healthy areas,
- e) Restoration projects should be prioritized within each watershed for effectiveness on the basis of maximum ecological benefit and on the benefits to sustainable local community economics and/or revitalization,
- f) Restoration and stewardship decisions should be based on explicit objectives and benchmarks from an approved Watershed Restoration Strategic Plan,
- g) Restoration that alters environments should give highest priority to project results that use natural processes,
- h) Progress of restoration must be effectively monitored, using explicit objectives and benchmarks, in order to evaluate ongoing restoration and stewardship efforts,
- i) Restoration plans and/or projects must not sacrifice one ecosystem for another,
- j) Restoration must be accomplished consistent with existing applicable environmental laws.

Source: Sierra Nevada Alliance and
Regional Council of Rural Counties
March 1997

PRINCIPLES OF WATERSHED COMMUNITY INVOLVEMENT

- a) Watershed strategic, annual and project planning must be open, public and involve communities in the watershed,
- b) Community involvement must include a comprehensive and inclusive public education component,
- c) Watershed restoration and stewardship should reflect a strong component of sustainable local economics and/or revitalization of local communities implementing projects,
- d) Advisory and/or oversight committees must include members residing in the watershed,
- e) Watershed groups/JPAs administering restoration projects must deposit restoration funds in institutions that actively invest in local communities and economic revitalization within the Council's jurisdiction,
- f) Watershed groups must adopt restoration strategies, and plans of action, that enhance and create local job and contracting opportunities,
- g) Watershed policy, restoration and stewardship plans and projects must be consistent with principles and standards established by this act.

Source: Sierra Nevada Alliance and
Regional Council of Rural Counties
March 1997