



GAVIN NEWSOM
GOVERNOR



JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

North Coast Regional Water Quality Control Board

Date

To: Interested Parties

Subject: Solicitation for Supplemental Environmental Project Proposals

I am contacting you in order to give your organization an opportunity to access funding available for water quality improvement projects. The North Coast Regional Water Quality Control Board (Regional Water Board) is creating a new list of proposals for supplemental environmental projects (SEPs) that could be chosen for implementation as the funds become available.

Under the authority of the Water Code, the Regional Water Board may issue administrative civil liability complaints (ACLs), assessing penalties on dischargers who have violated the California Water Code, including waste discharge requirements, discharge prohibitions, enforcement orders, or other orders of the Regional Water Board. The Water Code generally requires that monetary assessments collected through the ACL process be paid to the State Water Resources Control Board (State Water Board) Cleanup and Abatement Account (CAA) or other accounts as specified in law.

However, as an alternative to depositing ACL assessments into the CAA, the State Water Board's Water Quality Enforcement Policy allows ACL assessments to be used for important and valuable water quality improvement projects within the Region, known as SEPs. Such projects must enhance the beneficial uses of the waters of the state, provide a benefit to the public at large, and not otherwise be required of the discharger. The State Water Board's Policy on Supplemental Environmental Projects (Policy) describes the requirements for SEPs.

The Policy guides the evaluation of SEPs by Regional Board staff to ensure that the selected projects have environmental value, further the enforcement goals of the State Board and Regional Boards (Water Boards), and are subject to appropriate input and oversight by the Water Boards. The Policy is available for reference at this link:

https://www.waterboards.ca.gov/water_issues/programs/enforcement/docs/seps/20180503_sep_policy_amd.pdf

VALERIE L. QUINTO, CHAIR | MATTHIAS ST. JOHN, EXECUTIVE OFFICER

5550 Skylane Blvd., Suite A, Santa Rosa, CA 95403 | www.waterboards.ca.gov/northcoast

To facilitate the process of development and selection of SEPs, the Regional Water Board is soliciting SEP proposals that could receive funding in the future. Third party organizations often are in a better position to allocate their resources toward SEP development and oversight than dischargers themselves and, therefore, are in a good position to receive funding. Any public or private party that (a) can receive and distribute funds and (b) has the ability to complete the work, may submit a SEP proposal. Please review the Supplemental Environmental Projects FAQ document (attached) before submitting your proposal.

Proposals for SEP projects should be submitted using the attached Water Board SEP Proposal Form. We will include proposed projects that meet the criteria for SEPs in a list that we will post on our website. If your project is chosen for funding at a future date, Regional Water Board staff will request additional project information.

Please submit your proposal form to me, preferably in electronic form, at Diana.Henriouille@waterboards.ca.gov. Alternatively, you may mail a hard copy of the form to 5550 Skylane Blvd., Suite A, Santa Rosa, CA 95403. Finally, if you do not have a project or projects to propose at this time, but would like to be included on a list of interested parties that may be contacted at the time of settlement of an enforcement action to solicit a SEP, please notify me at the email address above, or by telephone at (707)576-2350.

We look forward to receiving your SEP proposals. If you have any questions regarding this matter, please contact me by telephone or email.

Sincerely,

Diana Henriouille, P.E.
Enforcement Unit

Attachments:

- 1) SEP FAQs
- 2) Water Boards SEP Proposal Form)